

# Vote at Home Policy Actions:

# 2020 RETROSPECTIVE

## A Preliminary Analysis 2020 Policy Changes and Effects

In a year that has been characterized by uncertainty, change, and massive unforeseen challenges, we at the National Vote at Home Institute and National Vote at Home Coalition would be remiss if we didn't acknowledge the herculean efforts of election officials, their staff, and the countless community members who came together to make this historic election happen. Furthermore, we thank the local, state, and federal officials across the country that worked equally as hard to provide the necessary policy changes and resource support to aid in the effort. They say that democracy is a team sport and that has never been more true than this year. Thank you to partners from all parts of the country for continued efforts to support officials, create change, and place voters at the center of decision making; we are proud to work with such a passionate community.

**VOTE**  **HOME**

## INTRODUCTION

As election officials across the country were thrust into an election year suddenly upended by a pandemic, policymakers and activists came together and worked to adjust election plans. Voter interest in mail ballots soared as fears of the virus grew, and NVAHI worked diligently to present best practices and innovative solutions to aid states in a successful vote by mail expansion for both voters and administrators.

Most urgently, we addressed how to best empower and equip election officials to ensure the health and safety of both poll workers and voters, while running the largest election in United States history with a record breaking number of mail ballots.

In March of 2020, the National Vote at Home Institute presented the [Vote at Home Scale Plan](#) as the first and most comprehensive, step by step guidance for states looking to scale up their mail ballot operations by November. The plan included recommendations for process improvements for inbound and outbound ballots, voter communications, procurement, and other practical considerations. Election officials across the country consider this to be the definitive roadmap to success for any jurisdiction looking to scale operations in light of the new pandemic and election realities.

NVAHI followed up this plan with a [Policy Actions](#) report in May of 2020 that defined the gold standard for best practices for election policy and chronicled the current policies of all 50 states and the District of Columbia. The report made specific recommendations for state policymakers to consider going into the November election and beyond. The report used a ratings system that rated states on multiple factors including access to mail ballots, data and security, infrastructure, and other voter-centric policies. Most importantly it created a path to a “vote at home” system, set guidelines for foundational priorities, and encouraged states to build on them towards a truly voter-centric system like those of Colorado, Oregon, Utah, and Washington.

As one of the nation’s foremost organizations focused on election administration, NVAHI has been deeply involved across the country providing expertise in research, policy, and implementation to election officials, decision makers, and advocacy groups regardless of political affiliation. This work, alongside outreach directly to local officials, led to policy and procedure changes in over 35 states and hundreds of counties in all corners of the United States.

Election officials used and implemented our policy recommendations in the wake of ever-changing conditions and we are proud to support their work beyond policy change and into implementation work. We were pleased to help election officials implement vote at home systems, robust ballot return options, and sufficient processing methods in traditionally purple, red, and blue states alike. States that made proactive investments flourished, avoiding many of the issues that plagued states that did not respond to meet the increased use of mail ballots and the health and safety challenges this election cycle presented. Building on the progress in 2020, our team will continue to help states utilize these recommendations moving forward.

## **ANALYSIS**

In keeping with the framework of how NVAHI conceptualized levels of state vote at home access in the past, we continue with a 5 level grouping of states for this analysis. The groupings are based on each state's policies as they stood at the time of publication in May of 2020. Since then, there have been significant policy shifts across states. This analysis will give some examples that we believe are insightful and could be used as either models for change or cautionary tales.

In order to account for the level of urgency and the contracted time frame to adopt changes, we heavily weighted a few particular groups of policy variables including mail ballot eligibility, data & security processes, and voter convenience best practices. We consider these to be broad yet foundational policy categories that form the bedrock of a securely administered, voter-centric vote at home operation, and are essential to meet the increasing demand for mail ballot access. The remaining policy categories we track and recommend are most effective when layered with foundational policies to preserve security and should not be undervalued.

We also stress that while many of our recommendations center around voting at home, we have always and will continue to encourage election officials and policymakers to maintain and continually improve upon in-person and accessible voting options for those who choose or might require them. The vote at home methodology is not just a mail ballot in the hand of every voter, it is a comprehensive system that gives voters more options while also maintaining the highest levels of security and decreasing administrative burden.

## 2020 REVIEW

Here, we quickly summarize the categories of states and present examples of successes and opportunities that we observed in states that made policy changes since May of 2020.



### 1 STAR STATES:

States that still required an excuse for a voter to obtain a mail ballot for the 2020 general election as of May 2020.

We recommended that these states immediately take steps to allow voters to apply for a ballot without an excuse. At the very least, we recommended implementing a temporary excuse that would allow a voter to obtain a ballot by mail due to the fear of contracting or spreading COVID-19. Though other policy variables should be considered, we assert that this was the major change that should be accomplished in order to expand access to voting by mail in these states.

#### Success Story

#### KENTUCKY



The Commonwealth of Kentucky is one of NVAHI's most resounding success stories. Through a combination of policy, communications, and implementation support services, NVAHI supported Kentucky as it implemented innovative solutions to allow for an impressive increase in access to and use of mail ballots while also maintaining in-person voting options under some of the most challenging conditions imaginable. We applaud both the Secretary of State and the Governor of Kentucky for being a model to the rest of the country by working across party lines and creating options that served over a million voters in the June primary alone, and double that for the November general election. Some of their policy changes include allowing virtually all voters to easily request a mail ballot online using COVID-19 as an excuse for 2020 to allow voters to vote safely from home, adding an online mail request portal, drop boxes, basic ballot tracking, and in-person early voting options, and allowing extensive preprocessing so that mail ballots could be processed quickly and efficiently. As a result, the share of the vote cast by mail increased more than 1000% from 2016. To reduce rejection rates for mail ballots, Kentucky added a cure process and postmark acceptance. Notably, because the state did not feel that it had the ability to proactively mail ballots to all voters, but similarly was struggling to provide regular in-person polling options, officials used our best practice recommendation for centralized vote centers to create a hybrid "super center" model to provide more options to voters. Kentucky's dramatic transformation demonstrates that rapid change is possible, especially when it is a collaborative effort between branches of government, and state and local officials across party lines. We look forward to continuing to shape policy to make many of these temporary changes permanent, including increased access to early voting, online mail ballot request availability, and a robust cure process, to name a few.

## Cautionary Tale

## MISSOURI



Instead of making absentee ballots more accessible in response to the pandemic, Missouri created a new category of mail ballots as a no-excuse option to vote by mail. This created a parallel process to their current absentee ballot process, which created confusion and ultimately might have been more harmful than it was helpful. Communication around the new options were subpar at best, and usage was hampered by the strictness of their return policies – mail ballots could only be returned by mail, while absentee ballots had more options. In fact, absentee drop boxes, which Missouri had for prior elections, were removed to ensure that voters with the alternate type of mail ballots did not use them. Additionally, Missouri added a requirement that all mail ballots be notarized, a significant barrier during a time of social distancing. Other voter improvements were neglected as well: an online ballot request system would have made mail ballots much more accessible, while a cure process and postmark acceptance would have decreased rejection rates. While we generally applaud making mail ballots available to more voters, we were disappointed in the execution of the efforts in Missouri.



## 2 STAR STATES:

States that were missing major pieces of policy or best practices that ensure a secure mail ballot process by May of 2020, such as a sufficient data integrity process, signature verification processes and/or a deficiency cure process.

There is currently no excuse required (or a COVID-19 excuse is accepted) to request a ballot in these states, so we recommend that these states fill their respective policy gaps in the remaining base policy categories. We anticipate major growth in demand for mail ballots, so these policy innovations in order to establish the foundation for safe, secure, and accessible elections.

## Success Story

## VERMONT



Another very exciting and bipartisan success story is out of Vermont. NVAHI testified in support of the legislation that authorized the Secretary of State to conduct the state's November election by mail with limited in-person options. The state also adopted NVAHI recommendations to establish secure dropboxes for ballot return, prepaid postage on all ballots, and innovative solutions such as drive-through voting. While the state maintained its election day ballot return deadline, additional measures such as mailing all voters ballots by early October and increasing return options made for a successful transition to vote by mail and a success it was: turnout rose by 7% from 2016, with over 90% of ballots counted by midnight on election night.

## Cautionary Tale

### NEW YORK



The New York state constitution only allows voters that meet certain criteria to vote by mail ballot, but the state was able to implement temporary relief to allow any voter to request a mail ballot and also added some better options for ballot return while it continues to consider a constitutional change later down the line. Our team testified before the legislature and actively advised election officials and legislators about options for making changes for the November election, and also educating around vote at home innovations the state should consider in the future. Key issues in the state will include a lack of access to mail ballots, limited return and tracking options, lack of preprocessing, and other structural and implementation issues that will take significant legislative efforts to reform. Because New York allows voters to vote a normal ballot in person at any time, election officials have no way of beginning to process absentee ballots until well after election day. This along with a few other structural deficiencies is the main reason that results in New York take significantly longer than other states.



### 3 STAR STATES:

States that started May 2020 with all of the basics of security, had “no excuse” policies to obtain mail/ absentee ballots, and may have added some of the best practices that we recommend for voter convenience.

### NEW JERSEY



## Success Story

Prior to the 2020 election, New Jersey had a “no excuse” mail ballot policy as well as a permanent mail status available to voters. For the November election, the state moved to a mail ballot model, mailing every voter a ballot, and implemented secure drop boxes and prepaid postage for ballot return. To support the surge in mail ballots, New Jersey also allowed officials to begin processing and counting ballots 10 days before election day. As COVID-19 cases surged in New Jersey in the days prior to the election, the state did not have to worry about additional community transmission at crowded voting locations as all voters were given the option of voting at home. New Jersey’s foray into voting at home was a success with over 4.3 million mail ballots cast, leading to a 2.3% increase in turnout from 2016 with the vast majority of voters voting by mail.

## Cautionary Tale

## MICHIGAN



While Michigan did make substantial changes to their election system over the past cycle, NVAHI issued guidance and cautioned that ballot processing would be a major barrier to the state's success in November. We applaud their efforts to make voter-centric reforms such as offering a "no excuse" policy to voters when requesting an mail ballot, increased ballot return options, and improvements to ballot tracking capabilities. While the state did allow jurisdictions with over 25,000 people to begin processing ballots the day before election day, the Legislature did not increase processing time substantially enough to account for the elevated use of mail ballots. This lack of preprocessing slowed Michigan down, leading to fewer than half of all ballots being counted by election night. Despite difficult circumstances, we applaud the Secretary of State for making all the changes she could to ensure mail voting was accessible, secure, and counted in a timelier manner than existing practice would have provided. Additionally, despite the frequent changes and lawsuits, clerks worked diligently and tirelessly to operate the election. We hope that the challenges that the state has faced will propel their decision makers to make even more significant investments in their systems.



### 4 STAR STATES:

States that had a strong base in the most important policy areas for security, ballot access and voter experience, but also have statewide systems for proactive mailing of ballots to voters, usually a permanent mail list or allowing individual counties to opt in to sending every registered voter a ballot as of May 2020.

## Success Story

## NEVADA



Nevada successfully implemented a vote at home system for the 2020 election and mailed every eligible voter a ballot, coupled with in-person options. While all eyes were on Nevada given their status as a swing state in the 2020 Presidential race, we think it is important to note that more than 75% of all ballots were counted by the end of election night and more than 84% by the morning after. Any delay in "calling" the race was due to the close nature of the election, not a lag in processing or counting. Importantly, the state offered a top-of-the-line ballot tracking system which allowed voters to track their ballot like they would a package. The state also adopted all of the NVAHI top recommendations including offering prepaid postage on all ballots as well as ballot drop off locations and polling place return options throughout the state and allowing a 15 day preprocessing period for ballots. Nevada included inclusive provisions to require in-person options for voters on tribal reservations which increased access to a population that does not have the same level of access to the USPS and has been historically disenfranchised. We are grateful for their voter-centric approach and hope that the state will consider making this year's emergency procedures permanent. Turnout increased by nearly 15% in Nevada this year, clocking in at over 77% and proving that when it is easier for voters to cast their ballots, more people vote.

## Cautionary Tale

## ARIZONA



Arizona's vote counting process came under close scrutiny this year, but this was largely due to election margins being so thin rather than any deficiencies with the state's election system. Prior to 2020, Arizona had strong, voter-centric policies in place and more than 80% of voters who had already signed up for the state's permanent early voting list (or PEVL) so that they received a ballot by mail for each election. The state does not require voters to give an excuse to request a mail ballot, offers robust ballot return options, and provides sufficient ballot processing time for election officials. While the state was an ideal candidate for a vote at home system for the 2020 election or could have followed in Montana's footsteps by transitioning to a county option for a vote at home system, we believe Arizona can continue to implement innovative election policies going forward. Looking to the future, Arizona is in an ideal position to become a vote at home state with a few more structural improvements like advancements in voter registration and address change automation, postmark acceptance, and of course, proactively mailing ballots to all eligible voters with modified in-person options. These changes can both improve the voter experience while also saving money and decreasing workloads for election officials.



### 5 STAR STATES:

States that already had vote at home systems or were in the process of implementing vote at home systems by May 2020, though none have adopted all of the Gold Standard policy elements.

## Success Story

## CALIFORNIA



California allowed counties to opt into a full vote at home model before 2020, and we would like to celebrate the strides the state made mid-year to compensate for the realities of the election cycle. First by executive order, and then confirmed by legislation, California required counties to mail a ballot to all eligible voters. California also expanded their multitude of ballot return options, including drop boxes and polling place dropoff, statewide, and ran an extensive voter education campaign. By dramatically expanding ballot tracking access and extending postmark acceptance, California has created a voter-centric system that we expect to lead to better customer service and also lower rejection rates. California led a collaborative effort between counties, local and national organizations, and experts to ease the transition to statewide vote at home, a decision which no doubt helped the state perform the impressive feat of successfully switching voting system for the largest population in the country in so little time. We are excited to continue to support California as they continue to implement these vote at home policies statewide.

## CONCLUSION

While voting by mail saw a massive increase this year, success in managing the influx of mail ballots and the already high demand for in-person options has not been spread evenly across the country. States still have dramatically different policies when it comes to voting and voter experiences vary widely. However, in 2020 NVAHI worked in 12 states to implement (sometimes temporarily) “no excuse” options that allowed an additional 43 million voters to access ballots by mail. In total, for the November 2020 election over 183 million voters or 85% of registered voters were eligible to receive a ballot in the mail. We are excited and encouraged by the successes we have been able to be a part of in states like Kentucky, Vermont, California, and New Jersey, but we also cannot shy away from the fact that states still encountered challenges and further reforms or improvements are not only possible but necessary.

During this crisis, more than 30 million Americans in 5 states were forced to choose between their health and having their voices heard. No wonder average turnout was 10% lower in these states.<sup>1</sup> By expanding access to mail voting, we help election officials ensure that all voters have access to the ballot box.

The successes and challenges of this election can be directly tied to the level of action states took according to the guidance we laid out in our original policy proposals. We will continue to help states navigate their specific challenges in the months ahead.

### Appendix: May 50 State Report

<sup>1</sup>Calculating based percent (not percentage point) decline in turnout as a portion of number of voters.