



March 24, 2020

## Delaying Pennsylvania's April 28 Primary Election:

### *Details on Amended Legislation (S.B. 422) and Required Administrative Procedures to Guarantee a Safe AND Accessible Primary Election in June*

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It is unsafe to hold the primary election in April.

Asking tens of thousands of poll workers --- many of whom are over the age of 60 and considered at risk for this coronavirus --- to open up polling stations and assist hundreds of thousands voters in small spaces is too risky and dangerous to public health and safety, and runs counter to most state and federal guidelines designed to reduce the spread of coronavirus (COVID-19).

Additionally, asking hundreds of thousands of Pennsylvanians to risk their health and the health of others to exercise their democratic right forces our residents to make an impossible choice.

At the same time, especially during this crisis, the rule of law and the sanctity of our democracy must be guaranteed. A free and fair election must be available to all eligible Commonwealth residents, especially voters of color, low-income Pennsylvanians, people with disabilities, and all of those who are most directly suffering as a result of this global pandemic.

With so much uncertainty today, Pennsylvania residents need assurance that our democracy --- including the cornerstone rights to register to vote and cast a ballot that counts --- is secure. **That is why members of the Keystone Votes Coalition praise the bipartisan effort of Gov. Tom Wolf and the General Assembly to move the state's Primary Election to a later date.**

Much of the legislative language scheduled for a vote Tuesday, March 24 is very good. However, **it is problematic to allow county Boards of Election to move a polling place anywhere else within the county**, regardless of whether the election district borders the district where the polling place initially was located. **This could lead to voter suppression**, especially for older voters, people with disabilities, and those who lack reliable access to transportation. Additionally, the bill must include language to mandate that every voter is notified by mail, e-mail, and telephone of any changes to their polling location.

In addition to changing the law, the **General Assembly must ensure funding is available and that all costs related to election administration changes as a result of the COVID-19 pandemic are covered through the state's General Fund.** Neither the counties nor the Pennsylvania Department of State should be forced to absorb these additional costs. **With funding in hand, the Pennsylvania Department of State must zealously prepare for secure and accessible mail-in voting by immediately sending ballot applications to all voters via U.S. mail and e-mail.**

Bipartisan efforts to change the primary election date and improve upon Act 77 are commendable. **In addition, county election directors and the Pennsylvania Department of State must accelerate their work together to make other critical improvements in absentee and mail-in ballot administrative policies,** specifically:

- Provide all voters with a means to check whether their ballot was mailed from, and safely returned to, their county election office.
- Inform voters that if their ballot gets lost in the mail, they may contact their county election office and have a replacement sent.
- Write guidance for county Boards of Elections, clearly defining criteria required to approve mail-in ballot or absentee ballot application. No eligible voter should be penalized --- especially at this time --- for making minor mistakes on their ballot application form.
- Make a final ballot available to voters with disabilities in a secure online form (so that screen readers can be used).
- Clarify the process for individuals who move after requesting an absentee or mail-in ballot, including college students who are forcibly relocated as well as other voters who suddenly had to move because of the pandemic.
- Create evaluation criteria for counties who requests changes to or the combination of polling places. To the extent that polling place location changes or combinations are necessary, they must be adequately publicized, including signage on Primary Election day and with mailings to each affected voter; no voter may be disenfranchised because of a lack of accessible polling places. Accessibility in this context should be broadly defined to include accessibility for voters with disabilities, language access challenges, lack of access to transportation, and other factors that may make it more difficult for eligible voters to vote.

County and state election officials also must work together to create new health and safety protocols at polling places and county election offices for the General Election that include establishing procedures for cleaning and disinfecting voting machines.

The Pennsylvania Department of State must take the lead and engage all of stakeholders in state and county government, as well as community organizations and institutions throughout the state, about the changed Primary Election date and the associated changes to the voter registration and ballot application deadlines. Under federal law, voter registration cannot close more than 30 days before the primary.

Maintaining the right to vote has never been as important as it is now in this time of crisis.

On behalf of 43 member organizations including civil rights, civil liberties, and good government groups, as well as large civic engagement organizations with members in all 67 counties, the Keystone Votes coalition has been working for years to make voting more convenient, secure and equally accessible for all who are eligible.

Like the rest of the country, we are watching with deep concern as the COVID-19 pandemic brings the world to a standstill. We trust and expect that during this time of crisis, the governor, his administration, and members of the General Assembly will continue to put aside partisanship to focus on keeping Pennsylvanians safe and economically secure during the pandemic, while also maintaining the safety, security, accessibility and integrity of our election process.

We continue to rely on state and federal updates, while employing the most effective measures to keep our partners and stakeholders informed, and will continue to do whatever we can --- no matter what is decided --- to ensure every eligible Pennsylvanian has an opportunity to vote.

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