



## State Board of Elections

### Protecting Election Administrators, Voters and Precinct Election Officials and Ensuring All Kentuckians Can Safely Cast Their Vote for the November 3, 2020 General Election

Consistent with guidance issued by the Centers for Disease Control and Prevention (CDC) to voting administrators across the United States, Kentucky is offering voters a wide variety of safe and secure voting options. These options intend to implement a lower risk election for voters, poll workers, and elections administrators. Kentucky's 120 County Boards of Election are working diligently to ensure safe voting methods and practices to all eligible voters in the Commonwealth, including mail-in absentee voting, early in-person voting, and in-person Election Day voting from 6:00 a.m. until 6:00 p.m. on November 3, 2020.

In consultation with Kentucky Cabinet for Health and Family Services, (CHFS) and based on the CDC guidance, the State Board of Elections (SBE) is providing these recommendations to mitigate the spread of COVID-19 in County Clerks offices, in-person vote centers, and polling places. SBE recommends using the most current health advice available from the CDC and CHFS that represent the most up to date and recent best practices. Therefore, the SBE is updating certain guidelines and recommendations to mitigate the spread of COVID-19 during the November 3<sup>rd</sup> General Election.

#### ABSENTEE VOTING BY MAIL

- According to the CDC, although the virus can survive for a short period on some surfaces, it is unlikely to be spread from domestic or international mail, products, or packaging. Election officials who handle mail-in ballots should wash their hands frequently with soap and water for at least 20 seconds or use alcohol-based hand sanitizer.
- To further reduce the risk of transmission, Boards can securely store election mail and/or absentee ballots for three hours prior to processing, if time permits.
- Election officials who handle incoming absentee ballot applications and ballots are urged to disinfect equipment and other surfaces that are frequently touched when processing absentee ballots and other mail products.
- County Boards of Election should set up stations for mail-in ballot processing equipment as far apart as possible so staff working on different steps of processing are distanced at least six feet apart, if possible. Limit the sharing of supplies and materials between staff members. When that is not possible, ensure that materials are transferred between staff members as little as possible, while still maintaining a bipartisan process. Boards of Election should disinfect any equipment that is shared frequently and in between uses.



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### ELECTION OFFICIALS AND PRECINCT ELECTION OFFICIAL

- County Boards of Election should direct their staff and precinct election officials to take their temperature prior to working at the Board of Election, early voting centers, or polling locations. Counties should consider procuring touchless thermometers to take the temperature of those election officials and precinct election officials that have not taken their own temperature (please contact SBE if you do not have the resources to purchase this equipment). Staff with a temperature of greater than 100.4 degrees should be isolated and sent home for further evaluation.
- All precinct election officials are advised to take their temperature the day before and morning of Election Day (or days they are working at early voting locations). If an individual has a temperature above 100.4 degrees Fahrenheit, they must stay home. Additionally, if an individual does not feel well or has been exposed to someone with COVID-19, they must stay home. Precinct election officials must notify the Board of Elections immediately if they cannot serve for early voting or on Election Day. All election officials, including precinct election officials, must wear cloth face coverings at the Board of Elections, early voting centers, and polling locations. Recently, the CDC and medical professionals have reached the consensus that a face shield alone is less effective than a cloth face covering in preventing transmission of the COVID-19 virus.
  - If an election official or potential precinct election official has a documented medical condition or disability that prevents the wearing of a face covering, the Board of Elections has the authority to decide whether to allow this person to assist in a role that would place them in contact with others.
  - Cloth face coverings can make it more difficult for people who are deaf or hard-of-hearing to lip-read, hear, or understand what people are saying. Clear face coverings or fixed clear barriers can support lip reading. Election officials should consider having clear face coverings available to ensure that voting is accessible to people with disabilities.
- Where social distancing is not possible, Boards of Election should consider the use of a clear plastic barrier or face shield, in conjunction with a cloth face covering that must be worn at all times. Setting up clear plastic barriers does not require expensive, permanent purchases (SBE is currently working to acquire these for your use during early voting and Election Day).
- Election officials should maintain in good faith at least six feet of distance between each other and voters as much as is practicable. Election officials' check-in stations should be set up so that those working the check-in table are at least six feet apart from each other. If, for instance, two tables can be placed where one typically would be, putting additional space between the precinct election officials and voters reduces the need for plastic barriers.



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- County Boards of Election are advised to direct precinct election officials and other election officials to wash their hands throughout the day with soap and water for at least 20 seconds or use alcohol-based hand sanitizer, especially after helping exchanging materials or coming into direct contact with voters.
- County Boards should ensure that gloves are available to precinct election officials for performing cleaning duties and assisting voters with voting. After each glove use, the precinct election official must throw away the gloves and wash their hands with soap for 20 seconds or use alcohol-based hand sanitizer.
- County Boards of Election should prohibit communal eating, such as sharing pizza or from a crockpot. Social distancing should be maintained during break time. Pre-packaged or single serving food or snacks are recommended.
- Election officials must distance themselves when in the same vehicle, as far apart as possible, when transporting elections equipment, ballots, or other election materials that require bipartisan transportation. Election officials and precinct election officials must wear cloth face coverings or PPE during transport, particularly when maintaining six feet distance is not possible. If weather allows, they should open the vehicle's windows to increase air flow.

### CLEANING AND DISINFECTING ELECTION EQUIPMENT AND OTHER SURFACES AND FACILITIES

- County Boards of Election should ensure that each polling location, the Board of Elections, and any early voting center has adequate supplies to support healthy hygiene behaviors such as soap, alcohol-based hand sanitizer, paper towels, tissues, disinfectant wipes, and no-touch trash cans. Work with vendors to ensure that hand sanitizer will not interfere with or damage election material, such as ballots or equipment (SBE and SOS are working with the Governor to supply you with most of these materials).
- Boards of Election and precinct election officials must follow the guidance of election equipment manufacturers to properly and safely disinfect election equipment, such as electronic pollbooks, touchscreen voting equipment, scanning equipment, and any election equipment that exposes either them or voters to surfaces touched by others. Boards of Election should work with their vendor to understand the equipment-specific guidance. Vendor specific guidance will be supplied to your offices.
- As much as possible, Boards of Election and precinct election officials must minimize or eliminate the handling of shared objects, such as pens. Any item that is not possible to convert to a single use item must be disinfected between uses. Items that are not single use should be returned to a container marked for such purpose rather than handed directly to another



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precinct election official (SBE has purchased 1.5 million pens that are being distributed directly to you).

- County Boards of Election should frequently disinfect surfaces that are frequently touched by election officials and/or voters, such as the check-in station, provisional ballot tables, and door handles using products with EPA-approved emerging viral pathogens claims.
- Boards of Election must clean all surfaces prior to disinfecting them while setting up early voting centers, polling locations, or ballot processing committees.
- Restrooms should be cleaned and disinfected routinely and frequently.
- County Boards of Election, if renting a location, must work with the facility hosting the polling location to ensure restroom and common areas are cleaned and disinfected routinely. The task can be performed by the entity responsible for the building or by staff or volunteers. CARES funds may be available for this purpose, distributed by SBE for staffing needs.

### VOTERS

- Voting is a fundamental constitutional right, and all lawfully qualified and registered voters must be allowed to exercise their right to vote at their polling place on Election Day if they have not previously taken advantage of absentee voting by mail or early in-person voting.
- Because voting is a fundamental constitutional right, a voter's right to vote cannot be conditioned on any form of pre-voting test, the result of which would determine whether they are allowed inside to cast a ballot. All lawfully qualified and registered voters who present themselves to vote in-person must be allowed the opportunity to vote.
- Election officials should encourage all voters to wear a cloth face covering while inside or in line to vote at the early vote center, or polling location. If a voter arrives without a face covering, they should be offered a disposable face covering. If the voter refuses to wear a cloth face covering inside, the voter must still be permitted to vote in-person. You may take extra precautions in assisting this voter with their ballot.
- Boards of Election should utilize staff or volunteers to monitor lines to ensure social distancing and other health precautions are followed and encouraged.
- Voters may wear face shields. However, the CDC and medical professionals agree that a cloth face covering is more effective in preventing transmission of the virus.
- Boards of Election should include information in their precinct election official training regarding conflict de-escalation related to the health precautions, particularly the expectation that voters wear cloth face coverings. For example, precinct election officials and election officials should:



- Speak with a calm voice.
  - Do not engage in discussion or speculation regarding underlying issues that may factor into the objection.
  - Remind the voter that they are permitted to vote, and that they are being asked to wear a face covering for the health and safety of other voters and precinct election officials.
  - If de-escalation fails, inform a voting location manager or the County Board.
  - If a precinct election official or election official feels the safety of any person is in immediate jeopardy, contact law enforcement directly.
- County Boards of Election should ensure they have additional cloth face coverings on hand at early voting centers and polling locations for voters who may not have a face covering but are willing to wear one (SBE will be providing the county with 10% of projected in-person turnout, with the belief that most voters will arrive with their own mask).
  - County Boards of Election should post signs providing instructions on proper wearing, as well as, safe removal and handling of face coverings. Per CHFS guidelines, cloth face coverings are appropriate for voters, staff, and precinct election officials. N95 medical grade masks are not required for working within a polling location or Board of Elections; cloth masks will suffice and meet CDC voting guidelines.

### SIGNAGE FOR BOARD OF ELECTIONS, EARLY VOTING CENTER, AND POLLING LOCATIONS

- County Boards of Election should utilize signage to encourage voters to follow necessary health precautions (SBE is working with CHFS in aiding counties with this signage).
- Boards of Election must also use other visual cues or orally communicate to voters upon arrival at an early voting center or polling location that they should leave at least 6 feet of space between themselves and others, wear a face covering, and otherwise follow health recommendations to protect themselves and others.
- County Boards of Election should place obvious markers such as tape to manage lines and remind voters to maintain social distancing while in line at the Board of Elections, early voting centers, and polling locations.
- County Boards of Election should use signage, use other visual cues, and/or orally communicate to voters to not disinfect or wipe down the voting equipment themselves, but assure the voter that voting equipment is disinfected and cleaned routinely by poll workers and staff.



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### LAYOUTS FOR BOARD OF ELECTIONS, EARLY VOTING CENTER, AND POLLING LOCATIONS

- Boards of Election should modify the flow of the voting transaction so that voters are moving in one linear direction (i.e., the voter is not retracing their steps or coming into contact with voters who are still in line), whenever practicable.
- If possible, Boards of election should not have doors serve as both the entrance and exit. Whenever possible, designate separate entrances and exits. Boards of Election and precinct election officials should consider propping doors at polling locations open to increase air circulation and working with facility hosts to find other ways to maximize ventilation, taking into consideration weather and security concerns. Boards should also consider maximizing ventilation in transport vehicles and bathrooms, while considering weather and security concerns.
- County Boards of Election may use dividers between voting machines in areas that do not accommodate 6 feet of distance between voters, but Boards must try to accommodate 6 feet of distancing as much as possible in good faith.
- Check-in stations should be set up to permit election officials and voters to maintain six feet distance.
- County Boards of Election should consider the use of clear or transparent barriers at the check-in stations and provisional ballot tables to separate the election official from the voter if six feet of distance cannot otherwise be maintained (SBE is currently working to acquire these for your use during early voting and Election Day).
- County Boards of Election should control access to the building, based on building capacity and social distancing requirements; however, given the unpredictable weather in November, consider distancing within a hallway or other indoor space if feasible.
- County Boards of Election should work with their county Department for Public Health to determine the number of people that can fit in a room while complying with health guidelines, such as the social distancing requirements.
- For Direct-Recording Electronic ("DRE") voting equipment, the DRE machines should be placed six feet (or as far as possible) apart.
- For hybrid counties (using both paper and electronic voting systems, VVPAT OR DRE), devices should be placed six feet (or as far as possible) apart. Election officials should ensure that the scanners are far enough apart from the marking devices to ensure that voters waiting to scan their ballot may do so safely and at least six feet (or as far as possible) apart from other voters in line to scan and those who are marking their ballots.
- Boards of Election should ensure that garbage cans are conveniently located at exits for voters who wish to discard disposable PPE, such as face coverings and pens. Boards should also ensure these garbage cans are emptied regularly.



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### PRECINCT CHALLENGERS AND ABSTENTTE BALLOT PROCESSING OBSERVERS

- As in any election, precinct challengers and absentee ballot processing observers must not interfere with election officials administering the election. In this election, that includes
- following the prescribed health precautions to protect everyone's health (KRS 117.087(3) & 117.275, KRS 117.315).
- County Boards of Election must direct challengers and/or observers to practice social distancing and wear cloth face coverings. Challengers and/or observers must be positioned such that they are always at least six feet from anyone else.
- A challenger or observer who refuses to wear a face covering at a processing committee location, early voting center, or polling location may be removed for obstructing the election process. County clerks, sheriffs and qualified staff have the authority to administratively remove challengers and/or observers if necessary. Please use best judgement when dealing with this type of situation in consultation with the county attorney and members of the County Board of Elections.
- For observation of the processing committees, Boards should consider offering a live stream which can be viewed by the general public. Boards must also consider observers in their plans for social distancing and sanitizing protocols, should observers insist on attending in person.
- Processing committee observers should have their own personal protective equipment and face coverings and wear them at the processing location at all times. Boards may provide such equipment to an observer who is unable to secure it.