

**Vote-by-Mail:
Protecting the Ballot During COVID-19
Eagleton Institute of Politics and The Fund for New Jersey
Webinar
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[Video available here](#)**

Ronald Chen: My name is Ronald Chen. I'm a law professor at Rutgers Law School and I'm very honored and happy to be moderating this panel, sponsored by The Eagleton Institute of Rutgers University with the very substantial support from The Fund for New Jersey. We have been able to gather a most distinguished panel, who will talk to us in their areas of expertise on this matter, after which there will be time for question and answer, and I'll, I'll talk to you a little bit about the mechanics of that in a moment. First, I just wanted to briefly remind you of the identify of our panelists. Kim Wyman is the 15th Secretary of State of the state of Washington, which as many of you know has used exclusively vote-by-mail, the vote-by-mail procedure since 2012. Professor Charles Stewart, III is the Kenan Sahin Distinguished Professor of Political Science at MIT and among his areas of expertise and research is in the area of scientific analysis, just questions about election technologies and administration. Connor Maxwell is a Senior Policy Analyst for Race and Ethnicity Policy at The Center for American Progress and focuses on criminal justice, racial justice, diversity and inclusion issues. And finally, Joanne Rajoppi is the Clerk of Union County, which I'll just put this in here is my county, so she is my county clerk, who is one of the Constitutional Officers in this state who will have the challenging task in a little more than a month of implementing the Executive Order 148 of Governor Murphy, which has placed our delayed primary in New Jersey on substantially vote-by-mail; not 100%, but has shifted it primarily to a vote-by-mail system.

Today, of course, would have been the day when our New Jersey primary would have taken place, but for the intervention of the COVID-19 pandemic, so this day was chosen with that in mind. Unfortunately, this period in time may also be known in the future as a very difficult and dark time in our nation's history but perhaps for that very reason, it is especially appropriate that we examine the steps necessary to maintain and reinvigorate our democratic processes. So, I'm going to ask each of our panelists, and the order I will ask them to address this for about 15 minutes will be Secretary Wyman, Professor Stewart, Mr. Maxwell and Ms. Rajoppi, at the end of which there will be the opportunity for all our attendees to pose questions.

When that question and answer period in this session, when the time for that comes, a Q&A box will – if it hasn't already – will appear and it will become active. But, when we reach that period, it works like chat boxes – those of us, which is probably most of us, who have become used to living on video conferences in the past few months, it works very much like that. I will keep an eye on it. I hope you'll understand given the time, maybe I will try to summarize questions that cover similar subject areas, so we'll try to get as many in as possible. So with that, I don't want to take up any more time, let me first call upon Secretary Wyman, who we particularly thank because it is very early in the morning in Washington, on the West Coast, and ask her to reflect on Washington's experience now that it has had several years of doing essentially exclusively vote-by-mail. So, Secretary Wyman?

Secretary Wyman: Well, thank you. Yes, I have to admit, I might've been cursing at you all this morning just a little bit. My alarm went off at five and I was like grr, but it's good to be here and I really am honored to be part of this panel and have this discussion that is so important right now with COVID-19 and all of the things that are happening across the country related to our election because I think arguably, the one thing we can all agree on is that this is the most anticipated election in a hundred years. I really do believe that. And tensions are high, emotions are high, and the spotlight is on election officials across the country. And as I'm sure my colleague would agree, we don't want you to notice us. We want you to notice the winners and losers and we are like the offensive line in football. If we do our jobs, you don't notice us and that's really what our goal is, is to do it well and not be the lead story.

So with that, what I wanted to talk about this morning was a little bit about Washington's experience and the lessons learned that we've had over the, you know, close to 30 years I've been working in elections here, not only at the state level but at the county level. And I think a lot of those lessons will really help states that are trying to deal with COVID-19 that don't have a lot of experience with absentee voting, let alone vote-by-mail. But, I think it's really important to have the bigger discussion because right now, it's a very polarized discussion. You've got people on the right saying, you know, it's fraudulent and voter fraud is going to be rampant across the country. You have people on the left saying unless we have complete vote-by-mail and everybody gets a ballot at their home, this election isn't legitimate because it's going to suppress voters. And those narratives are great for their bases; the problem is, is that confidence that the

public has in our elections is going to suffer and that's what we really have to be mindful of, and, and I think also acknowledge that not every state can flip a switch today and become a vote-by-mail state overnight. So, where that leaves us is, I think taking lessons from some of the Western states like Washington that have done vote-by-mail and absentee voting successfully.

So, our state, to give you really perspective, this is many years, many decades in the making. We have been a no excuse state since 1974, so any voter in our state has always been able to get an absentee ballot for any election. In 1983, we allowed voters living with a disability or over 65 to become what we called permanent absentee voters, which meant they got a ballot mailed to their house every election that they were eligible to vote in. And this was expanded in 1993 to all voters and that was a real seminal laud, now looking back, in our state because people really embraced voting by mail at that point. In 1993, a wide swath of our voters woke up and said gosh, this is a good way of voting. Our legislature also allowed us to do certain elections completely by mail so... and this varied by county in our state. I'll be honest, not... the entire state did not embrace it out of the gate and I say that because it's really important to understand that the larger jurisdictions have a lot of moving parts that they have to factor in. A small county or a local township may be able to switch over to completely vote-by-mail pretty easily but that is not going to be true for the larger jurisdictions and by larger, I mean really any jurisdiction over 100,000 registered voters or more.

So anyway, Washington's experience, we started this expansion and I was at Thurston County at that point, which is where Olympia is. Let me back up and give you some perspective. We have about 7.2 million people who live in Washington State and have 4.5 million registered voters. And of those 4.5 million registered voters, they do their elections at the county level here. we have 39 counties and the county auditors are the people responsible for elections and all of them are elected. In King County, where Seattle is, that is actually an elections director but otherwise, all of them have the responsibility for voter registration and overseeing the elections in their counties. We have up to four elections a year – two special elections in the spring for local measures like bonds and levies, and then a primary in August and in November a general election.

So, in 1993 when we had this change in law, we saw a pretty big spike in my county of activity by mail and a lot of that was because we promoted it, quite honestly. We started inviting

people to be permanent absentee voters. By about 1998, 60% of our voters were getting an absentee ballot every election and from my experience now looking back, I can tell you that's a tipping point. When you get to 60% or more, you're a vote-by-mail state; you just don't know it yet. And I know that Charles Stewart has heard me say that on more than one occasion. And what I mean by that is it becomes a heavy lift because you're now doing two elections every time you have an election and those of you that have early voting, you're doing three elections. And what I mean by that is 20 days before election day, you have to have all of your mail ballots out and ready for all of your voters to be able to use, and they have that whole voting window to return a ballot, which that has a lot of good sides that I'll talk about in a second. Then you have, you're building up to your polling place election on election day, and then like I said, if you have early voting, you're having to also staff all of those facilities where people can come in and vote in person.

So we were rolling along right until 2004 when we had the closest governors' race in the country's history. I don't recommend that, by the way. And so what we found is that we weren't doing either a polling place election or a vote-by-mail election well and all of the things that went wrong were front page news for about two months, and after two recounts and a court case, the winner won with 133 votes out of 2.7 million cast. And out of that, we had the following year, I remember the moment our state became vote-by-mail and it was when we were meeting with our senate and house leadership, legislators and chairs, and they were asking all these ideas of how to improve elections and everything they said, the auditor shot down. And out of sheer frustration, one of them said well then, what would work? And we starkly said vote-by-mail. And then went you know, vote-by-mail would solve this and this, and so that year, in 2005, our legislature allowed us to move to vote-by-mail and it was county-by-county. It still took us five years to move completely to vote-by-mail and it took legislative action because the final county in the state, Pierce County, for political reasons did not want to ever be vote-by-mail and the legislature made them.

So, I mention all of this because it's a long path and it takes time to build in the controls and the security measures that you need to do this well. First and foremost, our lynchpin is signatures. So, you've heard a lot of talk about fraud and in Washington State, one of the things we've had since 2006 is voter ID. We rolled this out pretty uneventfully. Been challenged by

the Brennan Center, and that's been upheld. Basically, a voter has to provide either their Washington driver's license, Washington State ID card, or the last four of their social security number at the time of registration and we do verify those numbers against those databases and 98% of our voters provide one of those three pieces of voter ID at the time of registration. The remaining 2%, we have alternative ID that appears to work as well. So, ID check is done there, and then when ballots are returned, we automatically mail them to every eligible voter and that signature on the envelope, on the outside envelope is matched against that signature on file for voter registration.

If the signature doesn't match, and there are multiple levels of that match, these are done by people who are trained by the state patrol annually in our counties and when they... if they don't approve your signature right out of the gate, they contact the voter. The voter has an opportunity to cure that signature. Sometimes voters forget to sign, by the way, so they sometimes may just be getting the opportunity to sign. And that check does two things – gives the voter a second chance and more importantly is a security measure, because if we mail one of these letters to Charles Stewart and he says wait a minute, I haven't returned my ballot, now we know it's potentially a fraudulent transaction and we can prosecute that on the back end. So that's kind of the process. The voter is given credit for voting, so even if they're issued more than one ballot, only one can be counted. And, we do have a state-side voter registration system that's near live-time, so if a voter on election day, where we have same-day registration, comes in and tries to get a replacement ballot or register to vote in a different county, only one ballot can be in play at a time, so we do have that security built in.

Finally, the other thing voters can do is they can monitor their ballot return through the USPS, and then also at our county level, they can see if their ballot has been received and if it's going to be counted or not. And if it's going to be rejected, why it's being rejected. So, our voting window is 20 days before election day, and then we have a 15-day certification window on the back end for primary elections and 20 days for general elections. I mention this in closing because the 20 days gives us a lot of time to deal with issues that voters may have, a lot of opportunities for voters to come in, update their registration or register for the first time up till election day at 8:00, and on the back end, we have 20 days to be able to receive those ballots, because our state is a postmark state. As long as a voter has postmarked their ballot on or before

election day, it can be counted, as long as it's received by certification day. And then we have also 500 drop boxes that voters can put their ballot in. These are secured by our county election officials, picked up at 8:00 election night. They're closed right at 8:00, and we have prepaid postage.

So I think I downloaded everything I can think of. I want to just mention that the important thing here is that those security measures are put into place to balance out this really robust access that we provide our voters because we have to acknowledge those two extremes of voter suppression and voter fraud, and address them so that we instill confidence and inspire confidence in our voters. Okay, I will stop talking and again, thanks for letting me have the floor.

Ronald Chen: Well, thank you very much, Madam Secretary. I've been jotting some notes but I will save them for the Q&A period. Professor Stewart, I gather you and Secretary Wyman, this is not the first time that you've been on the same panel together, so some of the issues that she just raised, particularly the problems of voter suppression and voter fraud are issues that you may be prepared to discuss but please, join us and tell us what the empirical data reveal on those issues.

Professor Stewart: Thanks a lot, Ron. Yes, it's always a joy to... Secretary Wyman and I have been, I would say fellow travelers in a wide variety of projects over the last dozen years or so, so it's always great to be on a panel with her. And so Secretary Wyman has given a really excellent rundown about what really a vote-by-mail or vote at home regime looks like and what I want... when you do it right. And there's a number of things in her remarks that I'll underscore but the one thing I need to underscore is the length of time she was talking about it took the state of Washington to get to where they are today, and that we all need to understand that as we move forward, and there's some lessons there.

And so my perspective is a national one. I'm kind of a policy wonky college professor, so that's kind of my job here, and so let me just say a few words about what I'm seeing right now in terms of the national view, what's happening... kind of what's happening nationwide with respect to some of these things. That perspective is also informed by a project that I'm doing jointly with the Stanford Law School called the Stanford-MIT Healthy Elections Project. If you go to HealthyElections.org, you can see our materials. In the next week or so, we're going to be

relaunching with a series of tools and research, etc., around issues of voting safely during COVID-19. So, my remarks will be kind of divided into two parts. One is in some ways to reiterate what Secretary Wyman had to say, but then to add on some words about in-person voting, which I think is relevant for most states as they try to navigate this hybrid system, as they try to keep voters safe.

What we know, and we're experiencing it for the primaries, and we're going to be experiencing it for the general elections is that we need to do two things to make elections both safe and accessible and those are to extend mail balloting to as many people as possible, people who want it, and then to keep as many... actually, keep as many in-person polling places open as possible, especially in the states that haven't gotten to 60% vote-by-mail already, but have histories of voting by mail, and I'll make that case in just a bit.

So, as Secretary Wyman has noted, that the efforts to expand the accessibility or the access to vote-by-mail is both a logistical and a political challenge, and we're seeing that happen right now. Logistically, mail balloting is hard to do, as she said. It's qualitatively a different sort of election than running in-person elections. And, if nothing else, when you only have like 5-10% of mail ballots in an election, the things that go wrong are real, are concerning, are unfortunate, but they don't make it on the front-page news. But, when you have 60, 70, 80% of your ballots going out and US Postal Service overlooks a whole bunch of ballots, you have printing SNAFUs, you're unable to turn around applications and things like that, it's not affecting a fraction of 1% of your voters; it's potentially affecting 10, 20, 30% of your voters and that's a big deal. And that's one of the reasons why, you know, several of us have actually cautioned... have suggested caution in expanding vote-by-mail to what the capacity is and I'll have some other words about that as well. But, it's hard to do.

The second thing is politically and again, I won't repeat what Secretary Wyman said other than just to note that there's things that we just have to do to make voting safe and accessible. I think one of the good things that I would add to what Secretary Wyman has said is that I'm noticing that what we call the silly season in terms of the rhetoric around voting by mail is not being echoed by election administrators, and I mean state election administrators and local election administrators try to get the job done and that's what they're trying to do. And so I would urge the members of this audience not to pay attention so much to the rhetoric flying

around, but rather to pay attention to what your county, your municipal voting body is doing. That's really where you need to pay attention.

So, with respect to in-person voting, while we have to expand the availability of mail balloting, we really need to keep in-person voting as accessible as possible, and this is kind of counterintuitive, given all the rhetoric right now. But in states, especially again, the 30 states or so, the 30-35 states or so that really relied on in-person voting, there are some things about in-person voting that we just really need to keep in mind. First of all, there are voters who either need or strongly prefer to vote in person. Maybe they need it because they may have disabilities. They may have language issues. And, many states now are doing in-person, rather election day registration and Secretary Wyman noted in her state, they're trying to roll this out in a mail environment but if you've always relied on... you know, if you're now relying on people to register in-person on election day, where's that going to happen if you don't have in-person voting places? And then finally, there are people who, for better or worse just don't trust the US Postal Service. I would note in the so-called... the 3-5 voted home states, the three we had experience with in 2016, most voters returned their ballots in person, okay? So, to have places where people can at least return their ballots in person is really important.

Now, one of the things to note is that polling places right now are closing because of concerns about COVID, for a wide variety of reasons. One of those has to do with the fact that poll workers are basically saying that they're not going to work. We need to keep in mind nationwide in 2016, 60% of poll workers nationwide were over 60 and a quarter of them were over 70. This is the... right in the middle of the demographic that's at risk by the virus and we need to understand that. And that's one of the things driving reduction in polling places, availability of polling places. The other thing, actually, and this is the geeky MIT professor in me, is being driven by, I think, not very good thinking about what the capacity needs will be in-person. And I won't get down in the weeds but I will just note that I've done some calculations for voting in Massachusetts and for just the location of where the voting booths are, if you take the footprint of where the voting booths are in a precinct, you need 20 times more space to handle that same number of voting booths if we're going to maintain social distancing. And, if you're going to only... if half of your voters are going to still be voting in person and you've lost two-thirds of your polling places, and those people are not social distancing, you're going to have

problems on election day or during the early voting period. So, we really need to be thinking hard about how to maintain in-person voting, because it's not going to be easy.

I will end by noting, I'm looking forward – there are the four Ps that I think the public and decision-makers need to keep in mind. The first P is people – we need to be concerned about both voters and election workers. Election workers, I would argue, actually are more at risk health-wise than the voters are, and so issues of social distancing, you know, in polling places, in the back office operations need to be paramount and when you think those things through, again, there's a lot of challenges, especially of recruiting new people into the positions. First P. Second P – places. Again, we need more places to vote, not fewer. And, we need big cavernous places for back office operations that haven't been available to voting before.

The third P is Purell, because I wanted to be alliterative and not say things, but I talk a lot to election officials and I ask them what they need and it's like you're living through Maslow's hierarchy of needs. They need things – they need Purell, PPE, etc. They're also being told they can't stockpile now, for understandable reasons, but nonetheless, we need to be thinking about supply chain issues so that when, you know, the primary comes in July or the general election comes in November, there is the stuff that the election workers need.

And then the final P is patience – we need a lot of patience. Now of course, we don't need the sort of patients where you just roll over when your ballot doesn't show up and those sorts of things. But, I think we as voters need to take some responsibility for helping election officials do their jobs and there's two things we can do. One, those of us who believe we are not at high risk of the virus need to call up our election officials and ask how we can help. If we're in the PTA or a Sunday school class or something like this, a great, you know, opportunity to help the public. So, we need to be patient and help out, but we also need to realize that on Wednesday morning after the election in November, we are going to probably not know who the winner is because of all of those absentee ballots left, and we're just going to have to take a deep breath and cool our jets and pay close attention, but not assume that we're going to get instant gratification in November.

So with that, I will turn back over... I will save the rest of my time if I had any left.

Ronald Chen: Thank you, Professor. We are actually, both Secretary Wyman and Professor Stewart have been very concise with their remarks, which will be great because it'll

leave us more time for question and answer. So Connor Maxwell, maybe you could help us understand, voting by mail is, for many people, a new, and as was already heard in some ways a little more complicated way of voting than most of us are used to, so maybe you can tell us how that might have impact especially on different communities, communities of color and those for whom this new voting procedure might have some disparate impact.

Connor Maxwell: Sure, absolutely. You know, a lot of what I'll say today echoes what Secretary Wyman was talking about, and Professor Stewart. First, I'll just say I approach this issue from, you know, by studying the unique challenges that people of color face when accessing... trying to access the ballot box. And I think an important place to begin this conversation is that despite decades of progress and expanding access to American democracy, there are still stark racial disparities in voter participation. For almost three decades, there was a pretty consistent 20-percentage point turnout gap between white and African-American voters up here and Hispanic, Asian-American and Native American voters down here. And there are a number of factors that contribute to this but I like to think of them generally in three buckets.

So, the first is structural barriers. So these are, you know, in the context of vote-by-mail, these are, you know, the fact that people of color are much more likely to move in any given year than their white counterparts. They're also much... they're far over-represented in the homeless population. If you look at Native American communities, residents of the Navajo Nation in Utah frequently will have to travel an hour to the nearest post office in order to mail in their ballot. That's a challenge. In Nevada, one in four Native Americans report distance as a difficulty for mail-in voting.

You know, insufficient engagement is also one of these driving factors. So, making sure that the public is educated and has information they need to fully participate in these elections. This is especially important for people with limited English proficiency. One in three Hispanic and Asian-American people in this country is limited in English proficient. There are more than 300 different languages spoken in this country; people often forget that, and so we need to make sure that outreach to these communities is fully accessible.

And then the third, of course, is voter suppression and you know, people, when they think of voter suppression, I think their minds always jump back to, you know, a racist election administrator dumping out the ballots of black and Hispanic voters or Klan members, you know,

armed and standing outside of polling places. But, it's frequently much more insidious, frankly, than that and so just for example, one core piece of voter suppression is misinformation and this can come from people within The United States, but also from outside of The United States. If there is misinformation being spread online, on Facebook and on Twitter and on Instagram about who is able to participate in vote-by-mail, the requirements that you might need, the documents you might have to provide, you know, whether your vote-by-mail will be, you know, who's going to be reaping and accessing that information, that can suppress people's participation.

And also, there is evidence that there are some pretty stark racial disparities in some places in terms of whether or not vote-by-mail ballots are accepted or rejected. So for instance, ACLU put out a report several years ago where they looked at 2012 and 2016 elections, vote-by-mail in Florida. And one of the things that they found is that black and Hispanic voters were more than twice as likely to have their ballots tossed out than their white counterparts. And so, you know, while I absolutely agree with Secretary Wyman that, you know signature match and all of those protections are crucial for administering a safe election, we need to make sure that there are some safeguards in place to ensure that people aren't having their ballots tossed out unnecessarily.

And so, you know, at the end of the day, the way I look at this issue, the way my institution looks at this issue is that we need to be as flexible as we possibly can be. We need to make, you know, in the world's leading democracy, voting should not be a difficult process. We need to make it easy for citizens to make their voices heard.

And so to that end, we've issued five recommendations in this difficult time. The first, I want to echo Professor Stewart, is we need to preserve in-person voting options, including at least two weeks of early voting. We need to... it can't just be... you know, I live in Philadelphia; it can't just be that there's two in-person polling places for the entire city and that everyone else has to vote by mail. That's just not going to work. It's not... you know, people will be discouraged by the miles long lines in order to participate and it just won't be safe. I mean, you know, we're in the middle of a pandemic.

The second thing is expanding opportunities to register online and on election day. You know, several states have still not really made that an accessible option or educated their residents fully that that is an option. The third is establishing ballot tracing and non-

discriminatory signature verification standards, so ensuring that the benefit of the doubt for signatures is given to the voter, and that if you are going to... if you are inclined to toss out that ballot, or to flag it as a mismatch, there should really probably be three independent verifications and some consensus that that is indeed a mismatch. The fourth is to eliminate burdensome absentee requirements. So in some places, for instance, there needs to be a witness to who signs that absentee ballot, or even a notary public, and you know, in the middle of a pandemic, those are really unnecessary burdens in order to participate in an election.

And then the fifth is launching robust, in-language voter education initiatives. We're not... we're probably not going to see the same level of man on the street voter registration drives, or door knocking but you know, states in coordination with civic engagement groups need to ensure that all residents who are eligible to vote have full access to the information they need to participate in elections. And I think if we do those five things, we'll be in pretty good shape, but again, as Secretary Wyman said, these, you know, switching over to a new system takes years and it's really complicated, and people face unique challenges based on their backgrounds and perspectives and experiences so, you know, we have to be doing whatever we can to ensure that everyone is able to participate.

Ronald Chen: Well, thank you very much, Mr. Maxwell. So, Joanne Rajoppi, you've heard of all the challenges from Secretary Wyman and Professor Stewart and Mr. Maxwell about the long preparation that's required to go to predominantly vote-by-mail, the requirement of having alternatives of live voting, and the problems of the impact that this can have, particularly on communities of color and the word always seems to be preparation. In the almost three weeks that you have had since Governor Murphy issued Executive Order 144 – I think I mistakenly called it 140 before, but it's Executive Order 144 – tell us how you have solved all these problems.

Joanne Rajoppi: I don't know that -

Ronald Chen: Obviously, somewhat in jest.

Joanne Rajoppi: Yes.

Ronald Chen: But clearly, right now, you have been... you've been faced with implementing vote-by-mail in... because of the coronavirus pandemic, under very stressful circumstances, and I'll throw in one more we're hearing, that the pandemic has put pressures on

the US Postal Service, which already was having its problems -

Joanne Rajoppi: Yes.

Ronald Chen: That may cause reliance, undue stress, reliance on the Postal Service -

Joanne Rajoppi: Yes.

Ronald Chen: Perhaps to be questionable. So, I'd invite you to tell us why all these concerns have been addressed.

Joanne Rajoppi: Thank you, Ron. I'm delighted to be here, number one. You know, from my point of view as a practitioner who designs and prepares and mails the ballot, I think the perspective of the County Clerks is important to the discussion. More so, Ron, because as you just said, May 15th was the executive order and actually, we did not even have labels from the statewide system until Monday to even prepare for this. So, it's an enormous challenge. You know, a few things I want to stress. It's already been mentioned that some of our leaders, you know, controversially, either have bad things or good things to say about vote-by-mail and I just want to say I believe it's a very reliable and trustworthy system. But, I hear people say, you know, is my vote private? Is my vote going to count? Is it open to fraud? Those... the issue of... that Connor mentioned, misinformation and distrust. So, there is only a small percentage of people who historically vote by mail. I, for example, have never voted by mail and there are people that want to go to the polling place. But, I think most people understand that in a pandemic with a contagious disease, you cannot do that.

So, in my 25 years of experience in doing vote-by-mail, there have only been two suspicious occurrence that I know of that could be considered tampering and that's an enormously low percentage, which follows national trends. The national trend for fraud in vote-by-mail is extremely low, so that's the good news. The bad news is this distrust and misinformation and I'm very concerned about it because voting by mail is a step-by-step process. If you miss a step, or do a step incorrectly, your ballot could be invalidated. So, there's several things here, and Connor mentioned language, and I'm so glad he did because clarity and simplicity and brevity of language in instructions and in outreach is critical. We have to educate people on how to do this process. You know, in New Jersey, we make it so complicated. Our system is a ballot. You have to fill out the ballot correctly. You cannot circle names; you have to fill in ovals, and you have to do it with a black or blue pen or the machine cannot scan it. And

once you do that, you have to put it in a certificate envelope, and it has a very strange envelope with a flap that you have to fill out and if you don't fill it out, your ballot is not going to be opened. Or, if you detach the flap from the envelope, your ballot is not going to be opened. So, you have to do all these things correctly, and then you have to put it in an outer envelope and mail it. We've tried to make the process easier. We have affixed postage, we did self-sealing envelopes, and we're doing a lot of outreach in terms of educating people with videos on how to vote-by-mail, also Zoom meetings with community groups.

So, that being said, another concern, and Secretary of State Wyman mentioned this, is tracking the ballot. Now, New Jersey had a plan this year for a code on the envelope to track a voter's ballot – very important. Voters want to know that their ballot arrived and that it's been counted. New Jersey had to abandon that project because there were issues with it this year, so it's not happening. And lastly, what was mentioned was the postal system. New Jersey has 6.1 million registered voters and every one of them is automatically getting a vote-by-mail ballot. That is a tremendous stress on an already overtaxed system that is suffering the remnants of COVID-19, as most businesses are. Add to that... add to that 6.1 million approximately... we're hoping for a 60-70% return, so add to that another 4 million ballots going back. You know, can the post office do that? I sure hope so. I sure hope so. And one of the things the state has done, thankfully, is developed and maintained a relationship with the post office. I, myself, have developed a relationship with my regional supervisors in the post office. You have to speak to these people because let's face it, that ballot has to arrive within seven days of July 7th or it's not going to be opened and counted, and we want everyone's ballot to be opened and counted.

And lastly, I want to mention... or, not lastly, second to last, the state does have a state-wide voter registration system, much like other states. The issue is that last year, they went with a new vendor and you know, as with any new system, it has to be tried and tested and there are some bumps and glitches in it, and we certainly hope it works. They had issues with developing the labels. So far, it is working, and I have faith in it, but it slows the process down and as everyone here mentioned, you cannot do an all vote-by-mail without adequate preparation.

So let me just take you through what the County Clerks' problems are. May 15th, the governor announced the all vote-by-mail. That meant from Union County with 330,000 voters, I had to order over a million envelopes, different kinds of envelopes. So did 20 other clerks in

New Jersey. So what do you think? We all have basically the same vendors. Thankfully, some of us ordered them previous to the governor's order because we knew there was a pandemic. I, thank God, was one of them. But, this is the issue – it stressed the vendors, the supply chain, very much so. In addition to that, we had issues with money. Now, the state helps to reimburse us for some of these expenses, but you can't... in government, you have to pay for what you buy. If you don't, it could be misfeasance or malfeasance. So there's issues of getting that money approved by your county budget so you can do the mailing, the postage. Enormous expense. I am going to be spending close to a million dollars on this election – a million dollars. So, times that by 20 others, you know, some larger jurisdictions, some smaller jurisdictions.

Then we talk about, and most people don't consider this, every county jurisdiction has different versions of the ballot. So, depending where you live, depending on which congressional district you are in, depending on your district or your ward, there's a different ballot. This year and for this election, for example, I have 70 different ballot versions. So, every voter has to be matched accurately, completely accurately, to their specific ballot. That is a very labor-intensive endeavor and you have to maintain it while maintaining the chain of custody of the ballot. You can't let that ballot go astray in any way.

So, those are just some of the highlights we've faced. I think County Clerks have the ultimate challenge. We like to say that we are umpires; we are not players. You give us a job to do, we do it and hopefully it will go well. But, I would've appreciated more preparation and as Secretary of State Wyman said, it takes years to get this, you know, into action. So, let's look forward to November, and hope it's a vote-by-mail, you know, in-person. And by the way, one message I do want to get out is people may say when they get their vote-by-mail, I'm going to the polls to vote. They cannot vote on a machine. The machines are mandated by the Americans With Disabilities Act. We have to have machines for people that cannot vote by mail. However, most people that don't have disabilities are not going to be able to vote on a machine. They're going to use a paper provisional ballot, which is just as challenging as the vote-by-mail challenge ballot. So, we're hoping it goes well. I'm so happy. I'm urging people to go out and vote. It's such an important election, we want to do it right. So, back to you, Ron.

Ronald Chen: Thanks so much, Joanne. We have a fair amount of time now for Q&A, so I believe now that the Q&A box has been activated, if I'm correct. I will be monitoring it and

try to... I will relay them to the panelists. So if you all can... for those that have questions, you can find the Q&A box and type it in. While we're giving other attendees the opportunity to do that, maybe I'll just throw some questions to the entire panelists, maybe get some general questions out of the way. We heard Joanne Rajoppi say that in her experience, the instances of significant possibilities of voter fraud were quite rare, which certainly has been the response from many of those who responded to concerns about voter... about the use of vote-by-mail. I'm wondering if any of the other panelists have any... Secretary Wyman or Professor Stewart have any further thoughts on the extent of the actual problem of... that vote-by-mail would present with regard to voter fraud.

Secretary Wyman: Okay, well I'll jump in since no one else is. In Washington's experience, I think, you know, is it perfect? Probably not. I think election officials want perfection and we're always in search of it and never quite can achieve it. But, I also do not believe it's rampant and that's just from, you know, the years and decades I've spent doing it. But, some actual empirical data that I know that Professor Stewart will appreciate, we are part of the Electronic Registration Information Center, or ERIC, which is a data matching center that we use our voter registration list and we compare it to 30 other states, let us to kind of keep up on voter changes when people move from one state to another or move within states. And one of the features of that system is that we have voter history, which means you as a voter, when you participate in an election, we give you credit for voting and it shows your history of the elections you've participated in.

In 2018, we compared our voter history to those other states and we did find that in Washington State, 142 people appeared to have either voted more than once or appeared to vote for a deceased family member, out of 3.2 million cast. So no, it is not perfect, and no, there's no level that's acceptable. I mean, every one of those votes has cancelled out some legitimate voter's ballot. But, with that said, we now are turning those over to our county election officials. They are working with their prosecuting attorneys and if it does appear to be fraud, they're going to prosecute them. So, you know, it's a lot like the banking industry, you know? Quite honestly, you try to prevent it and you try to detect it but if somebody really wants to walk into a bank, they can rob it and you have things on the back end to prosecute and that's really how our election system is set up. I will tell you that, you know, our experience in 2018 is 0.004% of

voter fraud, if you will. So, I think most banks would kill for that level of fraud. But with that said, we're always going to try to deter it and prevent it.

Ronald Chen: Any other panelists have any further thoughts on that?

Professor Stewart: Yeah, I would just add, having written recently an op-ed with Amber McReynolds of the Vote at Home Institute, we... I mean, if you look nationwide at... there is actually a registry that tries to... that claims to keep track of all the voter fraud prosecutions in The United States. And this is a registry, actually, that's trying to find voting fraud. They're very aggressive in assessing this now and they found that, you know, if you take the number of votes in absentee ballot fraud and you divide them by the number of absentee ballots over the last 20 years, which is what the dataset covers, you're talking about something like one vote in 2 million could possibly be considered to be fraudulent. And so... but that's the order of magnitude that we're talking about.

Ronald Chen: We're getting quite a few questions, so I hope all our attendees forgive me as I try to summarize some of them and try to get as many of the thoughts as best I can. There are a few questions that talk, as tax payers are want to do about, the cost of vote-by-mail and so for especially Secretary Wyman and Joanne Rajoppi as elected public officials yourselves, these are matters to which you are used to being held accountable. We've also heard from Mr. Maxwell and Professor Stewart the need to have a viable live balloting... traditional balloting process available as well and that, especially in these days of social distancing, would cost money. So, I'm wondering if either or both of you have thoughts of whether... to what extent is it practical... how much does vote-by-mail cost? Ms. Rajoppi gave us some indication and is it practical... how practical is it to have both vote-by-mail and a side-by-side traditional voting system?

Joanne Rajoppi: Well, if I can jump in here, I think voting centers, voting centers, consolidated voting centers might be one way to split the cost. But you know, we are saving money here, believe it or not. I mean, there's an enormous expense up front in terms of the paper documents we have to send out, but we're not using the same number of polling people that we would need, so we are saving some. The governor also suspended the necessity to send out sample ballots. We are posting sample ballots on the website. So you know, it's a... I can't tell you now, because all the costs aren't in but I do think there are some people that like to vote on

the machines and I think if you can keep that to a minimum by having... creating these regional voting centers, that's the way to do it. However, if you do that, then you have to have electronic poll books, so that's an added cost.

Secretary Wyman: Yeah, I would echo those sentiments. You know, our experience in Washington, it's tough to tell if it's more or less expensive to move to vote-by-mail, mostly because we did it right as the Help America Vote Act was being enacted and we were already, like all states, were building up our accessibility requirements in the polling places. That was why a lot of counties like mine switched over – it was just a cost-based decision. The amount of money it was going to take to build up those, in my case 70 polling places in my county, putting those machines, we ended up putting into our vote-by-mail infrastructure. So, I've never sold vote-by-mail on a cost basis because you still have a lot of back end processing that has to be done by staff and that's the expensive part, not to mention all the materials and supplies. So, our experience, I think, is probably awash and it's probably about the same cost, but make no mistake, you are going to have a lot of employees that you're going to need to put on staff to be able to process the volume, especially as you get to a larger size jurisdiction and that's part of the challenge. I think Charles Stewart really hit it on the head that the biggest crisis we are facing, beyond all of the other things going with COVID-19 is going to be a recruitment challenge and this is going to be nationwide. I know that some of us are working on efforts to try to do this major recruitment effort with the non-profit and business community, quite honestly, because as you heard those stats, 60% of our workforce is over 60 years old, or over 65. That's going to hit us. It doesn't matter if you're vote-by-mail or you're in-person voting, we need to get people in to help and that's going to be the biggest challenge, besides all the social distancing and teaching people how to vote-by-mail.

Professor Stewart: If I can just really quickly two points. In another week or so, we will have on our Healthy Elections website pointers to a variety of tools to help state and local officials try to equilibrate what resources they need in terms of space, number of poll books, those sorts of things, given the constraints of social distancing. That's one thing. The second thing on cost is look, I mean you can pay for it now, you can pay for it later. One of the things that we're discovering in this pandemic is that when you make unwise choices that are not based on science and good management, you end up paying with people's lives and health. And so

whatever the decisions that are being made, I think at the very least, I would hope that, you know, state and local officials look at this like any other business and public health decision they have to be making these days. And sometimes, you do have to spend money to keep the public safe.

Ronald Chen: Maybe I can bridge the issue of voter fraud with preventing voter suppression. We've got several questions that have been asking about the verification process, which in New Jersey I guess primarily is going to be matching the signatures. We were talking about this before, in the Green Room, I was talking about with Joanne Rajoppi. It's well known, for instance, that the Institute for Social Justice has filed a lawsuit, the League of Women Voters I believe is the plaintiff, challenging not vote-by-mail generally, but the problem that they think might ensue if ballots are cast out because of what is perceived to be a mismatching signature, which I think Connor Maxwell might've addressed this, is well, might have disparate impact on communities of color or whatever other very technical minor issues in the way that the ballot was... the vote-by-mail ballot was returned. And I think Joanne was saying it can be complicated. It's a little more... it is more complicated to some voters not accustomed to this process than the old machine. Okay, so I'm wondering if any panelists but particularly Ms. Rajoppi and Secretary Wyman could address how they balance this issue of verifying the ballot to address the legitimate concerns about voter fraud against throwing a voter's ballot out that as I was saying, the signature on file for me is probably the one I used when I registered to vote in 1976. And you can do the math, and signatures change. So, any comments you have reflecting how to strike that balance, I think would be welcome to a number of our attendees.

Joanne Rajoppi: Well Ron, you make a very good point. You know, the Board of Elections and the Board of Canvassers, the commissioners do go and take handwriting courses, etc., but they are not experts most certainly. And, the signature of a voter can change over time from what is in the database when you're 17 or 18 and you register to vote, and then you're 50 and 60 and arthritis sets in. They try to take those things into account. They're looking at a blatant change in the signature, basically, and that's very important. And unfortunately, there is no way to cure that on a vote-by-mail certified... certification because the voter is attesting that they are who they say they are. So, they do give consideration to age, to disease, to other issues but it is what it is. It has to match somewhat to that signature on file.

Ronald Chen: And really, there's no way to ask the voter after the fact if this really you.

Joanne Rajoppi: No, but as I mentioned to you earlier in the Green Room, when someone does send in a vote-by-mail application, for example, and I find an issue with it, I allow them to cure it, and they cure it by sending me a copy of a legitimate proof of who they are. That could be a driver's license with their signature on it, something, because you find a lot of issues. You know, parents try to help their children in college, so they sign the application for their child. It's pretty clear that... well, it's pretty clear that that's not the young person, that's the parent because we have their signature in the database, things like that. But, only in vote-by-mail applications can it be cured, unfortunately.

Ronald Chen: And that would be... those vote-by-mail applications will be sent – just to review – to those who are unaffiliated, who have not registered for a party before. But, voters who are already registered democrat, republican or some other party, they're not going to get those applications. They're just going to get the ballot.

Joanne Rajoppi: Correct, because the governor's executive order acted as the application for vote-by-mail. Also, inactive voters will get an application. People that have not voted in the last two federal elections.

Ronald Chen: Also, while we're... maybe just a little bit New Jersey specific, for those who for various reasons do not want to trust the US Postal Service, or they want to take as much time as they think they need to decide who to vote for, and therefore don't want to have to build in the delays for the mail, the executive order does require these secure drop boxes and Secretary Wyman, you were saying in Washington, you have essentially the equivalent with the voting centers, which tries to approximate in some way some aspects of the live voting in that you... the voter brings their ballot to some specified place. And maybe, Ms. Rajoppi, you can tell us how you expect that's going to work in New Jersey.

Joanne Rajoppi: Well, there are going to be... there has to be a minimum of at least five ballot boxes per county. The county is providing those... the state, excuse me, is providing those boxes for the counties. They're going to be under surveillance. They're going to be in high-density areas. The Board of Elections is going to do pick-ups on a regular basis of those ballots, so the chain of custody is maintained. They also can drop the ballot off into a ballot box in my two locations. I have a satellite office and I have a main location. Or, they can... one thing they

cannot do with that ballot is they cannot bring it to the polling place. It will not be accepted. They will have to vote provisionally if they brought the ballot to the polling place, or put it in the mail.

Ronald Chen: And yeah, if they put it in the mail, if it's... even if they put it in the mail on July 7th, if it is received by the 14th, then it will be counted. Is that correct?

Joanne Rajoppi: Yeah, as long as it's postmarked July 7th, they're good.

Ronald Chen: Right. There's a general few questions here. I don't know, maybe Professor Stewart can answer this. Do we have any data on how voting rates, participation rates have changed in states that have shifted to primarily vote-by-mail? Is there any data on that?

Professor Stewart: Yeah, this is one of my favorite questions and my... I think this is what I understand the academic research to be and by the way, I apologize, I think someone is vacuuming directly above my head. But you have to think about the different elections that are run by mail. If you start with what we would call, think about the high-turnout elections, you know, the general election in November of even numbered years, there's a slight, you know, a point or two increase in turnout in those elections. It's as you kind of go down the food chain, if you will, where you really actually see the big increases, when you move say to the primaries it's even bigger. And then the ones where you see a big whopping change are local elections, you know, school millage rates, annexation referenda, those sorts of things where they never turnout to vote, right? And now you actually get a whopping turnout, maybe of 20-30%, in an annexation race that might've had 1-2% and so yeah, so you get a little bit at the bigger races but you really expand out in the more, I would say local and party-based races.

Ronald Chen: There have been a few questions, again expressing concern about the possibility that ineligible voters are being allowed to vote, voters who have died or moved away. I don't know if this is particularly a vote-by-mail question but maybe again, perhaps either Secretary Wyman or Joanne Rajoppi, but New Jersey, and I assume it must be Washington as well, has a state-wide voter registration system, maybe can you can just explain briefly the process by which the voter rolls are policed, what is permitted, what is not permitted under various state and federal laws, and how you do that without then running afoul of the other concern, is that voter rolls are being improperly... voters are being improperly stricken, which leads to the expression of concern about voter suppression.

Secretary Wyman: I'll take a stab at it. In Washington State, we've been working, you know, pretty vigorously over the last certainly 12 years but probably even further than that, and we're part of the ERIC project, the Electronic Registration Information Center, so out of the gate, we are comparing our voter rolls at least I think monthly with our counterparts in the other 30 states that are part of this program. We're looking for address changes, particularly interstate and intrastate moves, and letting the county officials notify those voters hey, it looks like you've moved from Seattle to Denver. Let's see what, you know, do you want to update your registration, and giving those voters that opportunity to clarify their current address. But also, it's the constant effort to keep the registration rolls up to date, and I think Mr. Maxwell really hit this on the head – 10% of our population moves every year and I think this is... and Charles could tell me if I'm right or wrong, but I think that's nationally. And certain voting blocks do that more frequently. I think younger voters are more mobile and certainly certain communities are more mobile than others. So, keeping up with those address changes is difficult because people don't think about it. When you move, when you're going to school, you know, you're moving across country to go to school for four years, the last thing you're really worried about is keeping your voter registration up to date, even though election geeks like me do. Most people, I don't think it's high on their priority list.

And then the secondary tier beyond just keeping addresses up to date is comparing our list to our Department of Corrections for people who are under the supervision of the Department of Corrections. In our state, if you are under the supervision of the Department of Corrections, you are not eligible. If you are not, you are. So, we are constantly comparing that data. We're comparing it to the Department of Licensing list and in our state, we have what we call enhanced driver's licenses, which are Real ID compliant. Those voters are automatically registered to vote unless they opt out. So, more and more of our list is becoming people who have verified that they are US citizens, so we now can actually verify and check all four requirements for voting in our state, the eligibility requirements to be registered voters. So, it's a constant battle because you don't want to overstep, and certainly we don't want to be removing people from the rolls that are eligible by mistake and so we're always going to err on the side of the voter here in Washington State, but you have to inspire confidence in those critics who are worried about people who are ineligible being on the rolls. So, we try to keep that in balance that way.

Ronald Chen: Joanne, did you want to add anything?

Joanne Rajoppi: I just want to add that in New Jersey, we're a little behind on Real ID. We're in the process of initiating it. I believe the Division of Motor Vehicles has introduced it to a small population. But, every ballot that we send out, if it is not delivered, it is returned back to the Board of Elections, so we pay a big price for that postage, by the way, and they investigate. And they try to, as you said, it's a work in progress, keeping that list up to date, checking it against Corrections and Motor Vehicles. So, it's a difficult job. The only people that I know that vote that are dead is sometimes in Hudson County. No, that's a bad joke. That's a New Jersey joke.

Ronald Chen: One of long vintage, yes.

Joanne Rajoppi: I just want to say that Governor Byrne, one of our well-loved governors, before he passed away, he said he hoped he'd be buried in Hudson County so he could continue to be politically active. That's where that joke comes from.

Ronald Chen: Yeah. We have a number of comments that stress the need for available, accessible information. Some of the... there's some questions that ask specifically when will I get my ballot? Which county... and I was asking Joanne. I'll probably... may get mine maybe next week if things go right. But, on the question of information generally, where should voters go in particular to find out where is my polling place going to be, since it's likely going to change? Where are one of these secure drop boxes if I don't want to use the mail system?

Joanne Rajoppi: Right, right.

Ronald Chen: Where can I at least see an image of a sample ballot, since I'm not going to be getting one in the mail? Of course, these days, I assume everyone is using the... is using websites. Is that the primary method? Maybe Secretary Wyman, you could say what Washington's done. And then I also would like to ask maybe Mr. Maxwell, we're all used to... now these days, we're relying on the web for information like that. Is that... does that fairly address the needs of communities who might not be as connected to the internet as those of us who... everyone who's attending this webinar obviously is connected to a sufficient extent. Maybe either Joanne or Kim, or Professor Stewart, anyone maybe, address the first issue of what is the primary method by which information like that, technical information that the voter absolutely needs to know in order to vote? And then maybe Mr. Maxwell or Professor Stewart

can address the other issue.

Joanne Rajoppi: So Ron, the specific questions that were asked in terms of the polling place information, every voter is going to be getting, instead of a sample ballot, they're going to be getting a post card, which will notify them of the limited, consolidated polling place for them, where they can go if they are disabled or if they want to vote provisionally for any reason. So that's number one. The primary information is given out, as you mentioned, through a website. Every County Clerk has a dedicated website and the sample ballots will be on that website for reviewing. But, you bring up a very big concern that we recognize because some of us are from urban jurisdictions. We have large minority populations. We have... we're bilingual. Some counties are trilingual and our information then needs to be both in English and the other languages, so that's important, as is our ballots. Our vote-by-mail ballots are bilingual. We have to do more outreach to communities and I, myself, have been contacting community groups in order to come to their Zoom meetings or their regular meetings because that information has to get out there, and there's a large population that I don't believe has been served adequately at this point, so we want to do that.

Ronald Chen: Secretary Wyman, do you also rely mainly on websites, or supplemented by any mail notices?

Secretary Wyman: We don't... other than what... the materials that go out in the ballot packets to every voter, we do include a lot of information there. I think we spend quite a bit of time, just like it sounds like in New Jersey, trying to do outreach to communities and that's really done probably more at the county level than at the state level because it's more effective, quite honestly. King County, for example, where Seattle is, I want to say that I believe in the Seattle school district, there are 90 different languages that are spoken and I might have that... I might be under-reporting that. They have a real challenge just in terms of diversity in communities, so I know that King County has done a really good job of trying to do outreach to those specific communities to try to figure out what the unique challenges are and how can they best meet the needs. They've done grants, for example, to community groups to be able to do election materials that are going to serve that community best.

We do a lot of... we put an emphasis on translating ballot materials and information, not only in different languages but braille and audio formats, so that communities that have

challenges, you know, might have people living with disabilities, that would help them be able to get that information out. But yes, I think our reliance is very much on the web. We also produce a printed state-wide voter's pamphlet for every general election and we have new legislation that's now requiring the counties to do the same for their local elections and primaries and special elections. So an ongoing challenge and it's hard to meet people where they are, but we're trying. And I think Connor's been trying to say something for awhile, by the way.

Ronald Chen: Connor, go ahead. Yeah, I posed a question to you, and now here's your chance.

Connor Maxwell: Yeah, you know, I think, you know, the panelists have been spot on. I just want to echo what they've been saying. Outreach needs to be multifaceted and as equitable as possible. And so, you know, website, putting information online, that's probably where the vast majority of people go to get these types of information but a significant digital divide does exist in this country, by race but also there's an urban/rural divide, obviously, especially on Native American reservations there's a large gap in access to internet. I also think that other forms of... other mediums for transmitting this information need to be accessible. So, if a state or a county is going to do radio advertisements, making sure that it's not just on English language radio, that they're also doing, you know, ads in Arabic that they air on Arabic radio stations to make sure that everyone's getting this information.

And same thing with mail, and I think, you know, I don't envy election administrators. They have one of the toughest jobs that there is. But you know, I, you know, I've studied these issues but I am suspicious of anything I get in the mail, especially something that's asking me to put personal, you know, confidential information on paper and send it to an address, a P.O. box. And so, you know, it needs to be a multipronged assault. I think that there are models that states and election administrators can use. You know, I think the Census Bureau's outreach for the decennial census is perhaps one model, but the Census Bureau also has way more resources than any state or any county, so I think that there's also a huge responsibility, and we haven't talked about it, but a huge responsibility for the federal government to be making sure that states and counties have access to all the resources they need to provide information and to administer a free and fair election.

Ronald Chen: I've noticed there have been a few questions in particular about – this is a New Jersey specific question – about the information that's available on the Division of Elections website, and the... under the Secretary of State in which individual voters can actually register – I know I've done it - and the information that's available there. And I can tell you, it shows my voting history, what... it does give me my polling place. I haven't checked it recently, where it will give... if I wanted to go to a new polling place. What I don't think it will do, Joanne maybe you can correct me if I'm wrong, is sort of track a ballot. It will tell you whether your vote was counted or whether they think you voted but that occurs well after election day, when it's mainly of historical value. Is that correct?

Joanne Rajoppi: Yes, yes, that is correct. The state did attempt to do a tracking device on the label this year, but they abandoned it because of everything else that's going on, I believe. But, any voter can call their Board of Elections after election day or before to see if they received their ballot and they will tell them.

Secretary Wyman: Yeah, I would throw out that, you know, states are kind of all over the map on this. I know we're all trying to move to having some real-time information. Colorado, I think has really led the charge in this, where they have end-to-end, from the moment it enters the mail stream to your house, and then from your house to the mail stream, and through processing. Like I said, here in Washington State, it's still a little disjointed, but you can do that same thing in terms of tracking. But, I know that states are really working towards that. But, I can tell you in a live election, Washington voters can contact... can go online and check the status of their ballot in real-time, or they can call their election officials and you know, that's important for voters to know.

I realized, too, my coms person just told me to mention this, there is a national effort going back to the question about trusted info. The Secretaries of State and the state election directors and local election officials have this hashtag - #trustedinfo2020 – and it's really aimed at trying to make sure that voters are getting real, accurate information and trying to combat what we know is going to happen from foreign actors and maybe even domestic actors of giving misinformation to voters. You know, there's an old joke, republicans vote on Tuesday, democrats vote on Wednesday and we used to kind of like laugh at that and now, the reality is somebody can make a website... not even a website, can go on social media and make it look

like hey, you want to just text your vote in, text your vote in right now and you'll be good to go, and we have to combat that, so I think that's another layer to this, is really giving out information to all of these communities we've been talking about today of where they can get accurate information, from their county clerk, county election official, their state election official, trusted sources, ACLU, whatever, that people can get information in real-time that will make sure that their ballots get counted.

Ronald Chen: And I'll go through, when I was the state public advocate seven years ago and we did voter protection work, we had a number of sad cases in which websites reported to register people to vote. They wouldn't charge them a fee and just... it doesn't work that way, at least in New Jersey. And voters who came were denied the right to vote at the polling place, who truly thought they were registered to vote. It really was quite sad. So, it is unfortunately the case that not only do we need to get information out there, but we need to get reliable information that the voter knows they can rely upon. So obviously, the websites on the governmental side, the County Clerks, the Secretary of State certainly can be trusted but you have to be a little bit wary of other sites. Other organizations, I think the League of Women Voters and other truly reliable private organizations yes, but be wary of... I would just say be wary of information you see on other sites – by the way, did you know that you can... and then it leads voters down the primrose path.

There've been a few questions, and I'll just sort of lump this in generally about what to do about certain types of voters who can present particular problems, particularly in vote-by-mail situations – homeless voters without a regular residential address, recently released formerly incarcerated voters. In New Jersey, now we have... the law was passed that those on parole have their voting rights restored. And I'll throw in another, voters who've just recently become eligible because they've turned 18 or are about to turn 18, for which there exist already certain laws that require that they be given registration opportunities but again, when I was doing voter protection work in my, one of my prior lives, the number one reason that people were denied the ability to vote at the polls, because they weren't registered and there was some defect in the ability to get them registered. So, if anyone can address that issue from whatever perspective that you would like.

Joanne Rajoppi: Well, the good news Ron is that people still have the ability to register

for this election up to June 16th and as long as they get a vote-by-mail into the Board of Elections by June 16th, they're good to go. The other thing that is available to any voter, and we know that some voters are disenfranchised, on election day, there are sitting judges that they can go before at the Board of Elections and plead their case. I have to tell you, judges are extremely lenient and don't want to deny anyone the right to vote. And in most cases, unless you have a really bad story, they're going to allow you to vote that day. So, that's an extreme situation. And we usually have several sitting judges to accompany this, especially in a presidential primary.

Ronald Chen: Yeah. Indeed, I'll put the good end to that story I just told. I represented the voter who produced me this receipt from this website that says I thought I was registered to vote, so I took that person to a judge and the person... that person was allowed to vote on the machines, or fill out a ballot that was taken right to the Board of Elections and it was counted. But, that is a voter who had the determination to come to the county courthouse and say I want to be able to vote; this isn't right.

Connor Maxwell: Ron?

Ronald Chen: Yes, please, Connor?

Connor Maxwell: Yeah, if I could just jump in. You know, one other group that I've been thinking about a lot recently, especially recently in this context of folks who have less access, you know today is Pennsylvania's presidential primary and across the state there are hundreds if not thousands of US citizens who are currently being held in jail pre-trial and so, you know, I think states and counties also need to make sure that they are providing these facilities with absentee ballots and other resources so that these US citizens who have not been convicted of any crime can participate in this election, as is their constitutional right.

Ronald Chen: We're about right up in time. I just want to ask one other population that is sometimes left out in the gap are college university students. Where do they vote? Do they vote at the place where they're residing, in their college university, or where their parents' home is? I know there's been litigation over this, certainly in New Jersey. Are there any special steps that election officials should take to respond to those issues?

Joanne Rajoppi: Well, for this election, Ron, because of the pandemic, I would say most colleges are closed and most students of course may be home, they may be in their college state. We don't know exactly where they are. But even as a college student out of state, their residency

is considered in New Jersey. So, if they registered to vote here, that's where their residency is, their permanent residency. So yes, they can vote. And by the way, I forgot to mention another outreach, which helps college students. We developed the first election app in the state of New Jersey a few years ago, so almost everyone has a cellphone. They may not have the ability to have a computer, but they may have a cellphone and that's where all the information is. But, a college student, again, if you're not registered, you have until June 16th to do so and that registration form is on the app. Unfortunately, New Jersey planned to do online voter registration this year but again, it was abandoned because of the issues that we're facing. But, that will happen soon. So, they can download the application, fill it out, send it in, they're done.

Ronald Chen: Well, we are essentially out of time. For those who have asked very kindly, who have found this panel to be very informative, as am I, first let me thank all the panelists for their wonderful presentations and their comments. A recording of this entire presentation will be shortly made available and posted. I'd imagine all those who registered will be getting a notice. I want to thank, obviously, the Eagleton Institute directed by my colleague, Professor John Farmer, my predecessor as Dean of Law School as well, and the Fund for New Jersey for supporting this work. This is... the Eagleton Institute plans an ongoing series of presentations like this dealing with aspects of protecting the democratic process. We've already done one on the census and will be planning others as well. As I said before, right now, these are times in which a lot of our institutions are being challenged and their legitimacy is being questioned, rightfully so in my personal view. But perhaps, it is all the more important that we establish legitimacy and the validity of the process that we... some of us hold as dear as any, which is the democratic process of a right to vote. So, I thank very much, again, our guests, our panelists for adding to that, and all our attendees for all that I know you will do, and will do to help get out the word about how this process, which it is something new and is taking place in the time of another upheaval that none of us could have predicted a few months ago as taking place. So with that, I thank everyone, all our attendees and again our panelists for joining us. Thank you all and everyone else, have a good day.

Secretary Wyman: Thank you.

Professor Stewart: Thank you.

Connor Maxwell: Thank you.

Joanne Rajoppi: Bye.

[End of audio – 88:11]