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State Election Board
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Sent via email

Dear Secretary of State Raffensperger and State Election Board members:

We write to urge you to continue to adopt crucial strategies to improve Georgia's upcoming elections. While allowing drop boxes and early absentee ballot processing at the last State Election Board meeting are improvements, more must be done to avoid the difficulties Georgia voters had during the June 9 primary election. As we have seen, Georgia's primary day was fraught with problems caused by long lines, worker shortages, inadequate voter education, and problems with absentee ballots. Continue to improve our elections by mandating and funding the following in all 159 counties: 1) drop boxes ahead of the November general election, 2) publish clear, accessible guidance for voters on the use and location of drop boxes, 3) standardize instructions for counties on handling and processing ballots from drop boxes, and 4) recruit and train absentee ballot processors.

Absentee ballot drop boxes are a more secure option for voters to cast their absentee ballots without waiting in long lines during the COVID-19 pandemic and beyond. More drop boxes, paired with mandatory standards, increased voter education and recruiting will reduce long lines on Election Day and will help keep voters safer during the pandemic. We ask that drop box standards be adopted and absentee ballot processors be employed in time for the August 11 runoff, and we ask for all four of these necessary actions to be taken in time for the November 3 general election.

This guidance is consistent with current Georgia law and the success of other states that utilize drop boxes and absentee voting and is within your authority to promulgate.

I. Mandate and fund drop boxes in all 159 counties.

Merely creating an allowance for drop boxes helps only those voters who reside in counties that can afford drop boxes and then decide to install them at their discretion. In order for all voters to have meaningful access to drop boxes, they must be mandated and funded in all counties.

Drop boxes are especially important in areas with reduced in-person voting sites. Since 2013, over 200 polling sites have closed in Georgia,¹ and over 80 polling places closed in the Atlanta area since the beginning of the pandemic, which diverted a large number of Georgia voters to polling locations that are not equipped to handle a large influx of in-person voters.² For example, a voting site in Fulton County had a surge of nearly 18,000 voters diverted to its location on primary day, resulting in long voting day lines, absentee ballot confusion, and as we've seen across our state, delayed election results.³ This kind of burden will be alleviated if voters are guaranteed a more reliable absentee voting process that includes easy drop box access.

A more accessible absentee voting option is also necessary to combat the increasing spread of COVID-19. According to the Cybersecurity and Infrastructure Security Agency (CISA) Elections Infrastructure Government Coordinating Council and Sector Coordinating Council's Joint COVID Working Group:

Setting up ballot drop boxes and educating voters to use them mitigates a number of COVID-19-related risks associated with in-person voting. It also minimizes the number of people that will need to access voting locations, thereby providing more space for those who are engaged in in-person voting.⁴

The best locations to install drop boxes are at county offices, city buildings, or early voting sites because voters generally know where government buildings are or have already voted at an early vote site in the past.⁵ According to CISA, the best practices to determine drop box locations include:

- Providing one drop box per 15,000 – 20,000 voters;
- Installing them in communities with historically low vote by mail usage; and

¹ <https://civilrights.org/democracy-diverted/>

² <https://www.wired.com/story/georgia-failure-how-not-to-run-election-pandemic/>

³

<https://www.ajc.com/news/state--regional-govt--politics/lines-expected-election-day-finally-arrives-georgia/lpyX9vp6BcEpT1PV8LevCl/>

⁴ https://www.eac.gov/sites/default/files/electionofficials/vbm/Ballot_Drop_Box.pdf

⁵ *Id.*

- Using demographic data analysis to determine the needs of rural voters versus urban voters.

There are many options for drop box locations and clear precedent for establishing them for Georgia voters. At least 11 states and the District of Columbia allow drop boxes at any in-person voting site and at least 10 states pay for drop boxes in some or all counties.⁶ Since the pandemic started, forty-six states have expanded vote by mail to offer voters more access to the ballot and to keep them safe during the pandemic.⁷ Mandating and funding drop boxes provides more meaningful access for all Georgia voters and is necessary to help keep voters safe during the pandemic.

II. Establish standard instructions and mandatory practices for drop box usage.

Mandatory absentee ballot processing standards are required to ensure that county officials process ballots promptly and uniformly, so that each voting experience is closer to equal, regardless of county residence. As we witnessed on primary day, lack of uniform standards led to varied voting success depending on the county. For example, the Secretary of State attributed much of our primary day issues to county level election administration problems in metro-Atlanta Counties, while many rural counties did not appear to experience the same issues.⁸ Standard instructions and mandatory practices are necessary for uniform voting success in more counties.⁹ For each vote to count equally, counties must use the same methods to collect, count, and process absentee ballots received in dropboxes. This issue can be resolved through providing clear and mandatory instructions to all counties on how and when to collect ballots, enforcing standards regarding when ballots should be processed and requiring prompt notification whenever ballot issues are discovered. These types of standards avoid the varied primary day failures and successes that are largely dependent on the county, and provide the opportunity for more successful elections throughout every county.

III. Publish clear and accessible instructions notifying voters of drop box locations and proper usage.

⁶ <https://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx>

⁷

<https://www.npr.org/2020/06/04/864899178/why-is-voting-by-mail-suddenly-controversial-heres-what-you-need-to-know>

⁸ <https://www.nytimes.com/2020/06/10/us/politics/georgia-primary-election-voting.html>

⁹

<https://www.ncsl.org/research/elections-and-campaigns/election-administration-at-state-and-local-levels.aspx>

Drop boxes are most useful when voters are aware of them and have access to them. Unfortunately very few voters were aware of the availability of drop boxes for the primary election, leading to long lines and voter confusion. As stated above, drop boxes are only available to voters residing in counties with both the resources to afford them and the willingness to install them. During our primaries, those counties that were willing to install drop boxes mostly provided location information online, if at all, which meant that even in areas with drop boxes, voters without dependable internet access, who represent a meaningful percentage of rural Georgians,¹⁰ were unable to retrieve critical information about drop box locations and use.

Moving forward, drop box location information and usage instructions must be published through all available and reasonable means, including through posted signs at polling sites, and in government buildings. Further, voters must also be notified about drop box location information through mail, text, and phone calls, in addition to web postings. Diverse and inclusive methods of communication are necessary to ensure that more voters receive critical information about drop boxes and must be the standard for all counties to follow moving forward.

IV. Recruit and train absentee ballot processors.

Lastly, for drop boxes to be successful, more election workers must be recruited to effectively and efficiently process returned absentee ballots. The great shortage of election workers for the June 9 primary created an unprecedented backlog of unprocessed or incorrectly processed absentee ballots. This shortage forced voters to cast in-person ballots even when they preferred to avoid a physical polling site on primary day. Without enough election workers to process the surge in absentee ballots, they are left unprocessed, leaving many voters so uncertain about whether their vote was cast that they feel compelled to ensure their right to vote by showing up in-person, again, leading to long lines and widespread voter confusion. To make absentee voting a meaningful and available option for voters, more absentee ballot processors are necessary. The Secretary of State must recruit additional workers to accommodate the surge of absentee ballots that is commonplace during this pandemic.

Providing safe, secure, and effective elections administration is the mandate of your office. Improve Georgia's elections moving forward by installing and mandating drop boxes in all 159 counties, publishing drop box voter education in more formats, including both online and in print, standardizing county instructions for absentee ballot processing, and recruiting and training absentee ballot processors.

¹⁰ <https://broadbandnow.com/Georgia>

We, the undersigned, urge you to implement these commonsense strategies so that Georgia voters can safely and successfully cast their ballots in the upcoming runoff in August and in the general election in November.¹¹

Respectfully,



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Executive Director
ACLU of Georgia



Aklima Khondoker
Georgia State Director
All Voting is Local, Georgia

159 Georgia Together
Asian Americans Advancing Justice – Atlanta
Asian American Advocacy Fund
Black Alliance for Just Immigration
Black Voters Matter
Care in Action
Common Cause Georgia
Fair Fight Action
Georgia Association of Latino Elected Officials (GALEO)
Georgia Conservation Voters
Georgia Equality
Georgia Muslim Voter Project
Georgia NAACP
Indivisible Georgia Coalition
Jewish Community Relations Council of Atlanta
League of Women Voters of Georgia
NARAL Pro-Choice Georgia
Necessary Trouble Indivisible
New Georgia Project Action Fund
Planned Parenthood Southeast Advocates
Represent GA Action Network
SisterSong
Working Families Party

¹¹ This letter does not preclude or waive any arguments that the undersigned organizations are making or may make related to the elections process in other forums, litigation or otherwise.

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