

Minimum Requirements

1. The person picking up ballots must be sworn in and have a criminal background check on file.
2. The person picking up the ballots must display a State or county ID.
3. Notify law enforcement of the location of the ballot box and request increased patrolling.

Recommendations

1. Identify locations with 24/7 camera surveillance.
2. The person picking up ballots should wear a top with the name of the election office (e.g., vest or shirt with “County Board of Elections” printed on it).
3. Use a team of two election officials to retrieve ballots.

Before Installation

1. Use the SBE-provided template and create a *Ballot Drop Box Integrity/Transportation Log* (“Integrity Report”) for each drop box.

Installation

1. Once installed, make sure that the ballot slot is accessible and clear.
2. Open the bottom door and verify that the container is inside and positioned to capture ballots.
3. Close and lock the bottom door. (There are two locks – lock them both.)
4. Attach a seal to the bottom door.
5. Record the seal number on Integrity Report.
6. If the box is installed before May 21st:
 - a. Close and lock the ballot slot.
 - b. Attach a tamper-evident seal to the ballot slot door.
 - c. Record the seal number on the Integrity Report.
7. If the box is installed on May 21st, leave the ballot slot unlocked.

Opening Drop Box at 7 am on May 21st

1. Check:
 - a. The locks on the bottom door and ballot slot are intact
 - b. The seals are intact
 - c. The seal numbers match the seal numbers on the Integrity Report
2. Remove the seal and unlock the bottom door.
3. Verify that there are no voted ballots in the container.
4. Close and lock the bottom door.
5. Apply a new seal.
6. Record the new seal number on the Integrity Report.
7. Unlock the ballot slot.
8. Check that the ballot slot opening is clear.

Retrieving Ballots: Retrieve ballots 3 times a day – 7 am, 2 pm, and 8 pm. You will need a ballot bin or other secure container to transport the ballots from the drop off box to your office.

1. Check:
 - a. The locks on the bottom door and ballot slot are intact
 - b. The seals are intact
 - c. The seal numbers match the seal numbers on the Integrity Report
2. Remove the seal and unlock the bottom door.



Vote-by-Mail Election: Ballot Drop Boxes – Use & Ballot Retrieval Procedures

3. Put the voted ballots into the ballot bin.
4. Close the ballot bin lid and seal.
5. Record seal number in appropriate column on Integrity Report.
6. Position the empty container so that it will capture ballots.
7. Close and lock the bottom door.
8. Apply a new seal.
9. Record the new seal number on the Integrity Report.

If a voter wants to deliver a ballot while you are retrieving ballots:

1. If the ballot bin is still open, take the ballot and put it in the ballot bin before sealing.
2. If the ballot bin is sealed, ask the voter to wait until the drop box is locked and ready.

Closing Drop Box at 8 pm on June 2nd

1. If there is a line of voters waiting to drop off ballots at 8 pm
 - a. Any voter in line at 8 pm can drop off ballots
 - b. If appropriate, stand in line or give the last person in line the “last voter” card
 - c. Tell any voter who arrives after 8 pm and the ballot is not timely
2. Check:
 - a. The locks on the bottom door and ballot slot are intact
 - b. The seals are intact
 - c. The seal numbers match the seal numbers on the Integrity Report
3. Remove the seal and unlock the bottom door.
4. Put the voted ballots into the ballot bin.
5. Close the ballot bin lid and seal.
6. Record seal number in appropriate column on Integrity Report.
7. Position the empty container so that it will capture dropped ballots.
8. Close and lock the bottom door.
9. Apply a new tamper-evident seal.
8. Record the new seal number on the Integrity Report.
9. Close and lock the ballot slot.
10. Attach a seal to the ballot slot door.
11. Record the seal number on the Integrity Report.

If a voter wants to deliver a ballot while you are retrieving ballots:

1. Explain to the voter that it is after 8 pm and the ballot is not timely.
2. If the voter insists that you take the ballot:
 - a. Write on the return envelope the date, time and your initials
 - b. If you have not sealed the ballot bin, place the ballot in the ballot bin
 - c. If you have sealed the ballot bin, take the ballot.

Other Procedures

If the bottom box is opened outside of scheduled ballot retrieval process:

1. Check the seal number matches the seal number on the Integrity Report
2. Unlock and open the bottom box
3. Perform whatever task necessitated opening the bottom box
4. Close and lock the bottom door



Vote-by-Mail Election: Ballot Drop Boxes – Use & Ballot Retrieval Procedures

5. Attach a seal
6. Record the seal number on the Integrity Report

If there is evidence of tampering:

1. Record the incident on the back of the Integrity Report
2. Call your supervisor immediately
3. If possible, remove all ballots and attach a new seal
4. If step #3 cannot be performed:
 - a. Stay near the ballot drop box
 - b. Allow voters to deposit voted ballots
 - c. If the locks are compromised, obtain other locks and continue use
 - d. If the ballot drop box can no longer be used (e.g., ballot slot is damaged and voted ballots cannot be deposited):
 - i. Lock the ballot slot
 - ii. Post sign saying the ballot drop box is not available and give locations of other ballot drop boxes.
 - iii. Arrange for a replacement ballot drop box
5. Report incident to law enforcement and request increased monitoring
6. Report incident to SBE

Returning Ballots to Office

When the ballots (in the ballot bin) are returned to the office:

1. Verify the seal number on the bin matches the seal number on the Integrity Report
2. Remove ballots from ballot bin
3. Count the number of ballots
4. Record the number of ballots on the *Ballot Drop Box Acceptance Log*
5. Starting June 1st, date stamp the return envelopes
6. Process received ballots following the Absentee Ballot process



Nikki Charlson -SBE- <nikki.charlson@maryland.gov>

BMDS FOR JUNE

1 message

Goldman, Abigail <Abigail.Goldman@baltimorecity.gov>
To: Nikki Charlson -SBE- <nikki.charlson@maryland.gov>

Thu, Apr 23, 2020 at 12:18 PM

Nikki

We are requesting your board to allow us to use 8 bmds per each voting center for the June 2, 2020 election.

Thanks

Abigail



Erin Perrone -SBE- <erin.perrone@maryland.gov>

Ballot Marking Device - Cecil Vote Center

Ruie Lavoie <RLavoie@ccgov.org>
To: Erin Perrone -SBE- <erin.perrone@maryland.gov>
Cc: Lora Walters <LWalters@ccgov.org>

Tue, Apr 28, 2020 at 9:28 AM

Erin,

Cecil County is seeking an exception for the number of Ballot Marking Devices deployed to our Vote Center on June 2, 2020. In the best interest of the voters we will serve, we request permission for to increase to six (6).

Please thank the Board for their consideration.

Be well,

Ruie

Ruie Marie Lavoie

Director

Cecil County Board of Elections

Secretary, Maryland Association of Election Officials (MAEO)

2020 MAEO Conference Planner

200 Chesapeake Boulevard, Suite 1900

Elkton, Maryland 21921

rlavoie@ccgov.org

Office: 410.996.5310

Fax: 888.979.8183



[Cecil County Government, Customer Service Survey](#)

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4/28/2020

Maryland.gov Mail - Ballot Marking Device - Cecil Vote Center

that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender and delete the original message and any copy of it from your computer system.

Thank you.



Nikki Charlson -SBE- <nikki.charlson@maryland.gov>

BMD

1 message

Alexander, Alisha L. <ALAlexander@co.pg.md.us>

Thu, May 7, 2020 at 11:17 AM

To: Erin -SBE- <erin.perrone@maryland.gov>, "nikki.charlson@maryland.gov" <nikki.charlson@maryland.gov>

The Prince George's County Board of Elections is requesting the approval to allocate five ballot marking devices to each of the four vote centers.

This request is based on the large number of voters that have historically utilized the BMD's.

Your expeditious response would be appreciated.

As always, thanks!!

Alisha Alexander
Prince George's County Board of Elections
301-341-7300

Sent from my iPhone

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Erin Perrone -SBE- <erin.perrone@maryland.gov>

Fwd: Ballot Marking Devices and June 2nd 2020 Primary Election

Nikki Charlson -SBE- <nikki.charlson@maryland.gov>
To: Erin Perrone <erin.perrone@maryland.gov>

Tue, May 5, 2020 at 8:01 PM

FYI

www.elections.maryland.gov

----- Forwarded message -----

From: **Jurgensen, Margaret** <Margaret.Jurgensen@montgomerycountymd.gov>

Date: Mon, May 4, 2020 at 5:42 PM

Subject: Ballot Marking Devices and June 2nd 2020 Primary Election

To: Linda Lamone -SBE- <linda.lamone@maryland.gov>, Nikki Charlson -SBE- <nikki.charlson@maryland.gov>

Cc: Ross, Janet A. <Janet.Ross@montgomerycountymd.gov>, Jones, Lisa C. <Lisa.Jones@montgomerycountymd.gov>, shafiq.satterfield@maryland.gov <shafiq.satterfield@maryland.gov>, John Speir (john.speir@maryland.gov) <john.speir@maryland.gov>

The Montgomery County Board of Election is requesting permission to deploy the following number of Ballot Marking Devices:

1. Germantown Community Recreation Center Vote Center assign 6 Ballot Marking Devices and 2 BMDs in reserve.
2. Praisner Community Recreation Center Vote Center assign 10 Ballot Marking Devices and 2 BMDs in reserve.
3. Silver Spring Civic Center-Great Hall assign 12 Ballot Marking Devices and 3 BMDs in reserve.
4. Activity Center at Bohrer Park Gyms Vote Center assign 20 Ballot Marking Devices and 3BMDs in reserve.

Staff believes the use of the Ballot Marking Devices will facilitate the targeted special needs voters and assist with moving the

Lines, where there might exist quicker because of the additional sanitation steps involved with paper ballots and voting booths.

Margaret Jurgensen

Election Director

[18753 N. Frederick Ave](http://18753.N.Frederick.Ave)

Gaithersburg MD 20879

240.777.8523



<https://www.montgomerycountymd.gov/census/>



<https://montgomerycountymd.gov/coronavirus>

State of Maryland

Special General Election for the 7th Congressional District Review

Election Data

Turnout by jurisdiction: 32%

- Baltimore City: 58,142 (25.0%)
- Baltimore County: 52,095 (38.1%)
- Howard County: 46,786 (38.5%)

In-person turnout: 1,004 voters

- Baltimore City: 453
- Baltimore County: 322
- Howard County: 229

Same day registration: 5 individuals

- Baltimore City: 4
- Baltimore County: 1
- Howard County: 0

Undeliverable ballots: 28,608

- Baltimore City: 20,367
- Baltimore County: 4,355
- Howard County: 3,886

Rejected ballots (Percentage based on total number of rejected ballots by county)

- Baltimore City: 2,172
 - 1,687 ballots were rejected for being late (78%)
 - 313 ballots were rejected for no signature (14%)
- Baltimore County: 1,503
 - 1,186 ballots were rejected for being late (79%)
 - 225 ballots were rejected for no signature (8%)
- Howard County: 1,460
 - 1,278 ballots were rejected for being late (87%)
 - 122 ballots were rejected for no signature (8%)

There were at least five voters at each vote center that used the ballot marking device to make their selections.

Voter Outreach & Education

- Message was seen or heard over 5.5 million times over 6 days
- Digital Media Strategy included Google Display, Facebook, and Instagram and targeted users 18-65+ living in the zip codes for the 7th Congressional District.
 - Google Display: We displayed ads when users were browsing websites, like blogs and news sites. This effort reached 2.8 million users during 7 days, with almost 3 times as many views as Facebook/Instagram. Users aged 25-34 garnered the most views, followed by users 65+
 - Facebook/Instagram: We displayed video and static image ads. Instagram delivered more impressions (57%) than Facebook, and static ads had more impressions than Instagram. This click-through-rate (users who clicked the ad and ended up on SBE's website) with Facebook and Instagram was twice that of Google Display.
- Radio and Baltimore Sun included a mix of stations to reach a diverse audience while focusing on an older demographic and BaltimoreSun.com. The result of the radio buys was over 1.5 million estimated impressions for \$17,000. The stations on which the ads ran were WLIF (101.9), WMMX (106.5), WBAL-AM, WOLB-AM, and WWIN (95.9). Rotating ads were placed on BaltimoreSun.com over five days and received over 213,000 views.

Lessons Learned

1. Mature absentee voting process can be expanded to a vote-by-mail process
2. Local election officials quickly transitioned to vote-by-mail
3. Work with USPS to understand differences in delivery rate data
4. Enhance audits to verify that all eligible voters receive a ballot
5. Expand voter education efforts
6. Voters liked the ballot drop off containers
7. The three local boards in the 7th Congressional District are sharing with their colleagues in other local boards their best practices for preparing for and conducting a vote-by-mail canvass



Title 33 STATE BOARD OF ELECTIONS
Subtitle 07 ELECTION DAY ACTIVITIES
Chapter 03 Officials' Duties Generally

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), and 10-301, Annotated Code of Maryland

[.04 Polling Place Evaluation Program.

A. Establishment Required. Each election director shall develop and, with the approval of the State Administrator, establish and implement a polling place evaluation program using the polling place evaluation form issued by the State Administrator.

B. Elements.

(1) The program shall provide for unannounced election day visits to polling places to assess the election judges' compliance with applicable procedures and their general performance.

(2) Board members, staff members, independent contractors, or volunteers may be used to make these visits and assessments, as long as they have been properly trained in the election day polling place procedures outlined in the Judges' Manual.

C. Reports to Administrator.

(1) If requested by the State Administrator, the election director shall submit a report of the results of that election's evaluation.

(2) The report shall be submitted within the time and in the form that the State Administrator requests.]

Explanation: This proposed change removes the requirement for the formal evaluation program for voter centers for June 2nd. The purpose of this evaluation is collect information on-site about the operation and management of the voting centers. With the current public health emergency, it seems prudent to limit individuals at voting centers for this election.

At the April 13th meeting, the State Board approved repealing the requirement for the formal evaluation program for vote centers for a special general election. That action, however, did not cover the June 2nd election.

This change is being proposed as an emergency change. This means that the changes to 3307.03.04 would be effective for the presidential primary election (June 2, 2020). After this election, the requirement for evaluation program would return.

Title 33 STATE BOARD OF ELECTIONS
Subtitle 11 ABSENTEE BALLOTS
Chapter 03 Issuance and Return

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 9-305, 9-306, 9-310, 11-301, 11-302, and 11-304, Annotated Code of Maryland

.06 Return of Ballot.

A. – D. (text unchanged)

E. Ballots Returned at [an Early Voting Center or Polling Place. Whenever an absentee ballot is received at an early voting center or polling place, a chief judge or designee shall:

(1) Instruct the voter to put the voted absentee ballot into the absentee ballot bag;

(2) Ensure the security of the absentee ballot bag; and

(3) Return the absentee ballot bag to the local board of elections at the end of voting hours each day of early voting and on election day.] *a designated ballot-return location.*

(1) *A voter can return a voted ballot at a ballot drop off container outside locations that have been designated by the local board to serve as ballot-return locations.*

(2) *The ballot drop off container shall:*

(a) *Be designed to prevent an individual from accessing voted ballots once deposited;*

(b) *Include a statement that tampering with ballots is a crime; and*

(c) *Include the State Board's phone number.*

(3) *The local board shall retrieve ballots according to procedures issued by the State Administrator.*

.08 When Ballots Are Timely.

A. (text unchanged)

B. In General. An absentee ballot is considered to have been timely received only if:

(1) (text unchanged)

(2) The ballot is [received by a polling place] *deposited into a ballot drop off container* before the polls close [at that polling place] on election day; or

(3) (text unchanged)

C. (text unchanged)

Explanation: The current regulations allow voters to enter a voting location to return a voted absentee ballot and define certain procedural requirements. With ballot drop off containers outside each voting location and the desire to limit the number of people inside the voting location, the proposed change to Regulation .06 moves the drop off process from inside the voting location to outside the voting location and establishes requirements for the ballot drop off container and retrieving voted ballots from the container. The proposed change to Regulation .08 incorporates similar changes to the “timely” definition.

These changes are being proposed as an emergency change. This means that the changes to 33.11.03.06 and .08 would be effective for only the presidential primary election (June 2, 2020). After these elections, the process of dropping off voted ballots inside a voting room would return.

Kahan S. Dhillon, Jr.
Mayor of Baltimore City - Candidate

May 11, 2020

Dear Jared,

Thank you very much for your considerations relative to my candidacy during these unprecedented times. As you know, I fall in the unique position of having filed my candidacy for Mayor of Baltimore prior to the pandemic crippling our state and now being in the impossible position of violating the laws of Maryland to secure signatures from the citizens of Baltimore. This potentially denies the citizens of Baltimore the right to choose their next Mayor.

I respectfully submit my requests of the State Board of Elections as a follow-up to my letter submitted, your response to that letter and our most recent conversations.

I would like to re-assert my request that the SBE request the Governor to remove the petition signature requirement for Non-Party Affiliated Candidates to appear on the ballot in November due to the historic Pandemic that has played our great state and Nation. The cases and deaths in Maryland connected to COVID-19 as of the date of this e-mail continue to increase. As more testing has been conducted more of the virus is being detected. The first priority of all state agencies must be to preserve and protect the lives of its constituency. Therein requiring petition signatures which have always been procured in person and for which there is no reliable and tested state online system to procure them without question puts lives at risk. Many of the Nation's foremost medical experts at the CDC are expecting this Pandemic to continue to plague our Nation certainly through the November election timeframe. As major historic accommodations have already been made by the Governor and SBE including and not limited to moving the date of the primaries and altering voting to 'vote by mail', what I am requesting is not at all unreasonable and consistent with the flexibility already exhibited by SBE in these extraordinary times. In fact, other States such as Illinois have recently taken action to level the playing field and create fair and equitable opportunities in these challenging times by reducing the necessary petition votes to 10% of their original requirement. There is no reason the Governor should not have the opportunity to respond to a matter of such a landmark nature at such a landmark time. I hope you agree he should have the opportunity to review and respond to this request as you have correctly stated in your previous response that the matter is one outside of the domain of the SBE and falls with the purview of the Governor. That said, an equitable recommendation by SBE of removing the petition signature requirement or, in the alternative, at least follow the Illinois model and reduce the required signatures to 10% and all for such signature gathering to be accomplished on line.

I request the opportunity to be heard and convey my sentiments on this matter at the next meeting of the SBE, whether in person or via video chat. My understanding is public input is sought and welcomed by the SBE on such matters as such and I would like to have my testimony heard. With Regards,

Kahan S. Dhillon, Jr.
Mayor of Baltimore City - Candidate

CHERYL C. KAGAN
Legislative District 17
Montgomery County

Vice Chair
Education, Health, and
Environmental Affairs Committee

Joint Audit Committee
Joint Committee on Federal Relations



Miller Senate Office Building
11 Bladen Street, Suite 2 West
Annapolis, Maryland 21401
301-858-3134 · 410-841-3134
800-492-7122 Ext. 3134
Fax 301-858-3665 · 410-841-3665
Cheryl.Kagan@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

May 13, 2020

Ms. Linda Lamone
Maryland State Board of Elections
151 West Street
Suite 200
Annapolis, MD 21401

Dear Ms. Lamone & SBE staff:

Thank you for what I believe was a very constructive and informative hearing earlier today. There were a number of issues raised that warrant consideration by the Board at tomorrow's meeting.

- Privacy Envelopes
 - We understand that it adds to the time spent completing the canvass. Going from roughly 5% to 95% of votes by mail, however, makes this critically important. At least nineteen states require this by law; others handle this by regulation.
 - You mentioned that it was a local choice. Isn't SBE handling all of the printing details this year in a Vote-by-Mail election? Do you expect that this will change to allow a local option?
- Drop-off Box Security and Access
 - Your PowerPoint indicated that the boxes will be available 24/7 for voter convenience—that's terrific. It seems that the best practice is to have cameras to monitor the locations. This also helps with the "chain of custody" of a ballot.
- Delayed Ballot Delivery
 - Del. Ebersole's ballot arriving ON Election Day for the Special Election was obviously problematic. Not every voter would know how to address this earlier so that their votes would count.
 - Ballot delivery from Minnesota has been an issue. If we have VBM for November, might you consider having any non-Maryland vendor ship the ballots to Maryland to drop at local post offices?
- Educational PR Campaign
 - \$1.3 million for a statewide campaign struck many of us as pretty low. Will that be sufficient? Are you seeking more?
 - Which locations will you be prioritizing? You mentioned Instagram... but also focusing on senior citizens?
 - We are interested in knowing which outlets you're planning to use, including in local community newspapers and those with a minority focus.
- Precinct Data
 - Several legislators have expressed concern that results for the June Primary will not be reported at the precinct level. Nikki mentioned the option of "front end" or "back end." Although we have missed the deadline for front end planning, exactly how long would the back end method take? In the event that we cannot get precinct-level results, what is the smallest geographic area that they could be tracked?

- Voter Identification
 - When Sen. Ellis held up his ballot, your team told him that the code identified him. If that is true:
 - Why is it that that doesn't allow "front end" precinct sorting, as Sen. Washington asked; and
 - How is this not a total violation of voter privacy???
- Privacy, Safety, and Transparency of the Canvass
 - You said that there is no way of specifically associating a ballot with a voter. Several of us found this not to be accurate, based on our observation of the three jurisdictions as they canvassed for the 7th Congressional District election. How will you ensure that the canvasses follow regulations? This relates to how envelopes are opened; how ballots are removed without letting any staff see the identity of the voter; and ensuring that the ballot is not removed until all ballot envelopes in a batch have been opened. This did not happen in any of the three jurisdictions.
 - In this time of the Coronavirus, will SBE be emphasizing requirements for worker safety? Too many election workers were seen on camera without gloves and/or masks and having chatty conversations that were NOT six feet apart!
- Electronic Ballot Delivery
 - What are SBE and the local election boards doing to reduce the number of voters using this time-consuming and vulnerable method of voting? Many Marylanders have already requested this method of delivery for the November General Election. How will we be encouraging them to use a regular mail-in ballot instead?
- Locking in Vendors
 - We were glad to hear that you had confirmed a printer for the November election—regardless of whether it will be in person or another VBM election. Have you looked into procuring equipment for opening and processing ballots, since we would expect an enormous volume of votes in November? As you are surely aware, other states are competing for this same equipment.
- Correcting Voter Errors
 - You mentioned that 313 ballots were rejected in the Special Election due to a lack of a signature. We can expect many more in June and November. How will these be processed? Will the curing process be a State or local decision?

Thank you again for all you are doing to ensure that we have a successful election process in this very challenging time. I know we share the goal of smooth, private, transparent, safe, and accurate elections.

Best,

Cheryl

Cheryl C. Kagan
 Maryland State Senator, District 17
 Vice Chair, EHEA

cc: EHEA Senate colleagues and staff
 Ways & Means colleagues and staff
 Members, SBE Board: Michael R. Cogan, Chair
 Patrick J. Hogan, Vice Chair
 Malcolm L. Funn
 Kelley Howells
 William G. Voelp



Nikki Charlson -SBE- <nikki.charlson@maryland.gov>

Toward a secret mail-in ballot system

1 message

Marc Hoffman <gangsai@gmail.com>

Wed, May 6, 2020 at 11:27 AM

To: Nikki Charlson -SBE- <nikki.charlson@maryland.gov>

Dear State Board of Elections:

A secret ballot is not guaranteed by the Constitution, but most Americans--perhaps you--expect that their vote is secret--that it's impossible for anyone to find out how we've voted. I learned last week that mailed-in ballots in Maryland remain associated with the envelopes they came in, so it is possible to determine who cast which ballot. At the end of this message I have an immediate proposal about this situation and a longer term request.

In my experience, the Maryland Boards of Elections and staff are dedicated, competent, trustworthy individuals, and these comments are in no way directed at them. Rather, my concern is about a system that apparently conveys an unappreciated power to the government, unmonitored by the public. As a general rule, allowing the government to have access to a citizen's private speech is a bad idea, in my view.

People associated with my local board, Montgomery County, have assured me that the ability to locate a particular ballot sent by an individual has benefits for the overall credibility of the election, permitting the removal of invalid ballots and facilitating post-election auditing. These are important benefits. However, I am uncomfortable with the idea that my vote is not completely secret, no matter how good the reason, no matter how trustworthy the government agency, no matter how secure the information.

In the present emergency situation, it is unfortunate that the only guaranteed secret ballot on June 2 will be one cast in person at the polls.

Here are my proposals:

1. Immediately limit the time that mail in envelopes are associated with the ballots that came in them, for example a set time after the election is certified or any legal matters are settled.
2. Between now and November 3 explore other means of accomplishing the exclusion of invalid ballots and auditing so that you no longer require a link between the voter's identity and their ballot.

Thank you very much for your consideration. I hope you will consider my proposals at your earliest opportunity.

Marc Hoffman
Silver Spring, Md

State of Maryland

June 2 Primary Election – Election Preparation Activities

Election Preparation Activities

1. Over a two week period, almost 3.5 million ballots were sent.
2. Election officials are preparing to open 42 vote centers on June 2nd from 7 am - 8 pm and incorporating social distancing and safety guidelines in their voting room layouts. There will be as much personal protective equipment as we could order, including masks, gloves, sanitizer, face shields, plexiglass dividers.
3. There will be 66 ballot drop off locations – one at each vote center with additional locations in many jurisdictions. Two local boards – Cecil and Montgomery – added ballot drop off locations in response to the State Board’s action at the April 22nd meeting. These containers will be open 24/7 from May 21st through 8 pm on June 2nd.
4. We are supporting the local boards to provide remote access to canvasses.
5. The statewide voter outreach and education campaign has started. It will include digital, print, radio, TV, targeted outreach and earned media. The digital campaign, stakeholder outreach, and earned media efforts are underway, and radio and TV will begin May 14th or May 15th.

What We’ve Learned So Far

1. It’s new for most voters. Voter education effort will help with this. We are answering questions such as how do we make sure voters only vote once, what do I do if I don’t get my ballot?, and what’s the safest way to vote?
2. 90,000 voters in Prince George’s County didn’t receive the English version of the instructions. They received only the Spanish version. English versions were mailed on May 9th to affected voters.
3. Why is “April 28, 2020” printed in the ballot header? The ballot programming process started on February 3rd and the deadline to certify the ballot was February 24th. By March 17, the ballot databases were finalized and all ballot proofing was complete, ballots had been sent to military and overseas votes and delivered to nursing homes, and ballots for in-person voting were already printed. All versions of the ballots were sent to various vendors, and the post-election audit software was being customized for the ballots.

On March 17th, the presidential primary election was moved to June 2nd. After this happened, we had two options – restart the ballot process or manually edit each version of each ballot style.

Restart the Ballot Process: Once the date in the database was changed, the full testing process would be conducted. The local boards in the 7th Congressional District did not have time to reproof their ballots, and since ballots had already been sent, these may not be scanned by the voting system.

Manually Edit Each Version of Each Ballot Style: This would have required manually editing over 1,300 PDF documents and verifying formats and then retesting.

Building and testing ballots is a deliberate process. Rushing introduces great risk, and there was not enough time to safely make this change.

4. Will precinct-level results be available? There are two ways to provide precinct-level results for a vote-by-mail election.

We can program the ballot database to create a unique ballot style for each precinct. This programming must happen when ballots are created. Ballots for the presidential primary election were created in February when we were planning a combined special general election and presidential primary election on April 28, 2020. Since there was insufficient time to reprogram the ballots after the presidential primary election date was changed to June 2, 2020, the ballots could not be programmed for precinct-level results for a vote-by-mail election.

The local boards of elections can sort by precinct all of the voted ballots they receive, set up a scanner for each precinct, and scan the ballots from voters in that precinct into the scanner for that precinct. This would cause exponential delays in the counting process without adding to the integrity of the election process.

Our existing integrity checks and balances will be in place and supplemented with new audits appropriate for a vote-by-mail election. These checks and balances mean that voters and candidates can be confident in how the election was conducted and the accuracy of the results. For the June 2nd election, we will:

- a. Compare the number of voters registered in a precinct against the number of voters from that precinct that voted. This analysis will identify any precincts where more voters voted than were registered
- b. Compare the number of ballots received against the number of ballots presented for counting
- c. Compare the number of ballots presented each day for counting against the number of ballots that were accepted and rejected that day
- d. Compare the number of ballots scanned by a scanner against the number of ballots counted by that scanner
- e. Use a third-party to retabulate **all** ballot images from this election and compare the results generated from the voting system against the results from the third-party to verify the accuracy of the voting system

With these audits and verifications, we can establish what precinct-level results establishes – that is, the number of ballots cast does not exceed the number of voters who are eligible to vote in the election.



May 13, 2020

Members, Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401
cc: Linda H. Lamone, State Administrator

Dear Chairman and Members of the Board:

We thank you for all the hard work that went into conducting the 7th Congressional District Special General Election during the COVID-19 pandemic. We appreciate your work to protect the health of the public while providing safe access to voting, but we continue to have concerns. With the June 2nd Primary Election only a few weeks away, we want to highlight some of the concerns we heard leading up to, on the day of, and days after the special election. In order to afford every eligible voter an opportunity to participate in the primary election, we have several issues we believe you must address before the Primary Election. We have included a number of recommendations that we urge the Board to take into consideration:

Complete Statistics on CD-7 Special General Election

- **Rejected Ballots:** The State Board of Elections (SBE) should work with the local board of elections in Baltimore City, Howard County, and Baltimore County to release complete statistics on the number of ballots that were rejected and the reasons for rejection. Due to how quickly our election was changed to a mail-in system, there will almost certainly be an increase in ballot rejections. Most voted by mail for the first time, and a common mistake first time absentee voters make is forgetting to sign their return envelope. Because there was no curing process for rejected ballots, many voters may not be aware that their vote was not counted due to an error on their part. In order to increase awareness and determine if a curing process is needed for the primary election, we urge you to release this information.
 - We continue to encourage SBE to implement a curing process for the primary election. Even if only a small number of ballots were rejected in the special election, the rates for rejection will be higher for the statewide primary election. It is essential you put in place processes to ensure that every voter can effectively participate in our democracy.
- **Audit:** Conducting audits on all aspects of the system will help identify problems with the quickly implemented vote by mail system and help fix problems for the November election.

SBE should conduct a full audit of its process for mailing out ballots. This audit should include a determination of how many ballots were returned due to bad addresses, leaving eligible voters now at risk of being placed on inactive list; how many ballots were delayed due to a glitch; and how many ballots had to be re-sent to voters either electronically, by mail, or picked up in person as many voters shared that they were able to physically go to their local board of election office to get missing ballot. A number of organizations that run election protection hotlines in the state were contacted by voters who had not received their ballots, many of whom had previously applied for an absentee ballot before ballots were mailed out by the State Board of Elections. Conducting an audit of the CD-7 Special General Election will help ensure these mistakes are not repeated in November. And, we urge SBE to include ongoing audits and investigations into the entire operation, including, but not limited to, voter rolls, inactive lists, cancelations, vendor communications, and vendor capability. Also, robust contingency planning focusing on what can be done if a certain subset of voters do not get their ballots, or if what's mailed to them is flawed, should be considered.

Transparency

- **Vote Centers:** One way to ensure fair and equitable elections is to conduct open and transparent elections. Maryland law allows for the observation of the opening, voting, and closing procedures by poll workers at each of the Vote Centers in the Primary Election. Transparency in the election process, especially one with so many rushed changes, is critical. But COVID-19 has created an environment where poll watchers, challengers, and observers are unable to monitor the election process. We urge the Board to put a process in place that will ensure transparency in our vote centers and consider using video streaming as part of that process.
- **Canvass:** We appreciate SBE working quickly to provide a live-stream of canvassing process and ballot review in place for the CD-7 Special General Election. We believe there is room for improvement for the primary election.
 - **Signage:** Local board of election offices should do all they can to ensure members of the public who are watching the live-stream understand what is taking place. We recommend using clear signage at every station to make clear what step is taking place at that station.
 - **Stream:** Adding additional cameras at different sections of the room will provide greater transparency. Right now, the public can only view at a distance leaving very little ability to monitor for accuracy. We understand additional cameras leave voter information at risk. Every effort should continue to be made to protect the identity of voters during the video observation of the canvass.

Outreach and Education

- We appreciate SBE working to increase outreach to voters through social media, radio, and with video explaining how to vote in the primary, but we continue to be concerned about the very limited number of voters this information will reach. Maryland needs a more aggressive and robust plan to reach voters. We have called on Governor Hogan to allocate significant funding for voter education efforts, but SBE must do more expansive voter outreach and education as well. The Primary election in a presidential election year tends to have an

increased turn out, but we remain concerned that many Marylanders need to be educated on the new system. We need to ensure Marylanders know: that there is an election, that they need to confirm and update their registration; that they will receive a ballot in the mail; how to return their ballot; and that they can use an in-person vote center if need be. We want to be sure every Marylander knows that their ballot is in the mail and has a clear understanding of how to vote in the Primary.

Moving forward, every effort must be made to conduct our elections in a manner which will afford every eligible voter an opportunity to cast a ballot and have that ballot counted. Thank you for your leadership during this time and for doing all you can to ensure every eligible Marylander can exercise their right to vote.

Sincerely,

Joanne Antoine, **Common Cause Maryland**

Emily Scarr, **Maryland PIRG**

Ashley Oleson, **League of Women Voters of Maryland**

Dana Vickers Shelly, **ACLU of Maryland**

Nykidra Robinson, **Black Girls Vote**

Christine Lemyze, **Howard County Indivisible**

Wendy Royalty, **Our Maryland**

Ben Jackson, **Disability Rights Maryland**

Cristi Demnowicz, **Represent Maryland**

PP20 – Unsigned Oath Cure

To the extent practicable, these procedures are to be followed for absentee and vote by mail ballots returned without a signed oath

When an envelope is received without the oath being signed, an attempt shall be made to contact the voter. This process also applies to oaths that are included inside the ballot envelope (handwritten and web delivery template envelopes). This process is to be followed to the extent practicable, with contact being made no later than the 2nd Wednesday after the election.

Review the voter record for contact information

Email - if an email address is available, send an email to the voter informing them of the oversight and provide the options available to sign their oath.

Telephone number - if no email address is available but there is a telephone number, attempt to contact the voter by telephone to inform them of the oversight and provide the options available to sign their oath.

Mail - if no email address or telephone number are available, send a letter to the voter informing them of the oversight and provide options available to sign their oath.

Cure Methods

In Person - the voter may go to the local board office and sign the oath.

If your office is serving the public by appointment only, please let the voter know of available appointments

If your office is closed but you are providing service outside your office, please ask the voter to call the office when the voter arrives and facilitate the voter signing the oath.

Electronic oath delivery - the local board can email the voter the oath. The voter prints and signs the oath. The oath may be returned in person, by mail, or scanned or taken a picture of and emailed back to the local board.

Recommendation: Organize these per local board procedures to aid in locating the envelope quickly when/if required documentation is received.

All oaths must be signed and received by the local board not later than 10:00am on the 2nd Friday after the election, or the ballot will be rejected at the final canvass.

Canvass these on the final day of canvass to allow time for the signed oath to be received. Incoming mail and email must be checked daily for submissions.

Response to Green Party letters:

From: **Jared DeMarinis -SBE**

Date: Mon, May 4, 2020, 9:05 AM

Subject: Re: Public Comment: Sign On Letter Re Lowering Petition Thresholds,
Electronic Signatures

To: Owen Silverman Andrews

Dear Mr. Andrews:

This correspondence is in response to your request to lower or eliminate the petition signature number requirements.

The Governor's March 12 Emergency Order gave State agencies authority to suspend deadlines or other statutory timeframes during this state of emergency. But this does not include the authority to eliminate or reduce petition signature requirements. Separately, the Governor's various election-related orders (March 17 and April 10) authorized the State Board to change the format of, and other requirements for, the special general election for the 7th Congressional District and the presidential primary election, but the petition issues do not relate to these elections.

In each proclamation, the Governor never conveyed any authority to reduce or eliminate petition signature gathering requirements. One area that the State Board does have discretion over petition is regarding the acceptance of electronic signatures. At the April 22 Board meeting, the Board decided on a temporary basis in response to the COVID-19 health crisis to accept electronic signatures on petitions. In addition, under Maryland law signatures on a new party petition are valid for up to two years before the filing date of the last qualifying signature. This means that if you engaged in any signature-gathering activity since the Green Party lost its recognized status on January 1, 2019, you would be able to include those signatures on any petition for recognition you file this year.

Please feel free to contact me if you have any questions. Thank you.

BROOKE E. LIERMAN
Legislative District 46
Baltimore City

Environment and Transportation
Committee

Chair

Land Use and Ethics Subcommittee

Joint Committee on Administrative,
Executive, and Legislative Review

Joint Committee on Ending
Homelessness

Joint Committee on Pensions



The Maryland House of Delegates
6 Bladen Street, Room 311
Annapolis, Maryland 21401
410-841-3319 · 301-858-3319
800-492-7122 Ext. 3319
Brooke.Lierman@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Maryland State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

RE: Proposed Emergency Regulatory Changes

Dear Board Members:

I am writing today with concerns about changes to regulation 33.01.01.02, regarding the canvassing of ballots. The proposed regulation change would require that only one person be physically present for the review and canvass of ballots after voting has closed. This proposal is problematic for a number of reasons and I hope that SBE will consider withdrawing this regulatory change and propose new amendments to existing regulations that address the concerns outlined below.

Although unseen by most voters, the canvass of votes is an incredibly important process that includes a visual inspection of any ballots that were not already placed in a machine. In a vote by mail situation, this means nearly every ballot will be canvassed, rather than just absentee ballots in a “normal” election. Usually, multiple people are able to be present to review the canvass and challenge any problems they see – either with the ballot or by the official canvasser. What the SBE is proposing is to allow only one person to be physically present – period. There is no other requirement in the amended regulation or in other regulations.¹

The SBE is not proposing in its regulation, for instance, inclusion of a requirement to live-stream the canvass process. It also makes no guarantees about the quality of any live-stream. There are many other updates of regulations that also need to occur to continue the transparency that currently exists in our canvassing process, but that SBE will extinguish if this proposed regulation goes into effect. These regulatory changes could include the following:

- **33.08.01.07 Public Attendance at Canvass**
Add either in person or remotely by live video stream. Live video streams must show any documentation, deliberations and decisions clearly enough for observers to evaluate the correctness of decisions. They must show all parts of rooms involved in the canvass because if someone was there in-person, they would have access to seeing that.

¹ I also see no notation in the proposed regulation that it would only be applicable for elections that proceed almost entirely by mail, so I assume this proposed regulation would be law until it is amended or changed. That means that conceivably, the SBE could open up voting again to the regular process but not open up the challenge procedure.

- **33.08.01.03 Substitute Board Members**
B. Party Representation: During every session, however, both principal political parties shall always be represented, *either in person or remotely by video.*
- **33.08.01.08 Challenges**
A1. An individual who wishes to bring a challenge regarding an action of the local board on an absentee ballot or provisional ballot application shall make the challenge at the time the ballot (or application) is presented, *either remotely or in person*, for acceptance or rejection. (This assumes that any video feed is clear enough for a challenger to see the information on the documents.)
- **33.08.01.10 Report of Votes Cast**
The total votes cast for all offices and on all questions:
 - By precinct for votes cast on election day in a polling place *unless less than 5 cast votes for any contest.*
 - *By precinct or ballot style, for votes cast during early voting or by absentee or provisional voting unless less than 5 cast votes for any contest.*
- **33.08.03.02 Public Inspection of Ballot and Other Documents**
Either in person or remotely, observers and challengers ...
- **33.11.05.04 Ballot Rejection - Multiple Ballots from the Same Individual**
B1. If the signed oaths have different dates, only the ballot with the (later) first date shall be counted.
C. If an absentee ballot and provisional ballot are received from the same individual, the local board shall reject both ballots - ? (This is impossible if the absentee ballot is counted before election day.)

SBE's proposed amendment is wholly inadequate: it merely curtails the rights of Marylanders to be part of the canvassing process, and does not modify or require any alterations to ensure the process is accessible to more than the individual doing the canvass. It makes our elections remarkably less transparent and less secure.

The canvassing that just occurred in the CD-7 race does not instill great confidence but it does provide a guide. They had **two** canvassers and the live stream available. Two canvassers seemed to pose no real risks but the live stream was too far away to provide adequate ability to review the ballots.

SBE should require two people – not one – to be present for every canvass (maintaining physical distance as required) and require a livestream that allows for clear viewing of every single ballot. It must also require a challenge to be made remotely as well.

Finally, I echo the concerns of my colleagues who have reached out to you regarding a tally of votes by precinct. It is imperative that this occur and there is no reason that it cannot.

I look forward to your response to these proposals and further thoughts to ensure that the integrity of Maryland's election process remains intact.

My best,

 Brooke E. Lierman



State Board of Elections



Senate Education, Health and Environmental Affairs Committee
May 13, 2020- 1 pm

Overview of 2020 Election Changes

- Special General Election for the 7th Congressional District
 - Held on April 28th
 - Conducted primarily by mail with limited in-person voting opportunities
 - Results are in the process of being certified
 - *See Governor's Proclamation* dated March 17, 2020

Presidential Primary Election

- Moved to June 2, 2020
- Conduct primarily by mail with limited in-person voting opportunities
- Ballot counting can start on May 21st with results embargoed until June 2nd
- Provide notice to voters and other voter education
- *See Governor's Proclamation* dated April 10, 2020 and renewed May 6, 2020

Presidential General Election

- November 3, 2020
- No changes to date for this election



Special General Election Facts

(April 28th)

- Sent over 490,000 ballots to voters in the 7th Congressional District

Unofficial turnout was 157,028 or 32%

- Over 156,000 ballots were returned by mail (31.8%)
- 1,009 voters voted in person on election day (0.2%)

3 in-person voting locations - 1 in each jurisdiction

6 ballot drop off locations - 2 in each jurisdiction

Bought PPE

- 4,500 of masks
- 3,000 pairs of gloves
- 375 12 oz containers of hand sanitizer
- 150 of face shields,
- 80 Plexiglass dividers

Over 5.5 million ads seen or heard over 6 days

Sample Ads

● WBAL RADIO –



EXPECT MORE

WOLB RADIO –





FACEBOOK/INSTAGRAM ADS

Maryland State Board of Elections
Yesterday at 12:29 AM · 🌐

Make sure your ballot is postmarked on or before April 28, 2020 or delivered to a drop box location by 8 pm today!

Reminding all Marylanders that live in the 7th Congressional District to vote by April 28th. This isn't the statewide primary. It's an important special election to fill YOUR seat in Congress. Because of the coronavirus, the State Board of Elections urges everyone in the 7th District to vote by mail. It's free, easy and secure.



2020 SPECIAL ELECTION
APRIL 28TH

MARYLAND'S 7TH CONGRESSIONAL DISTRICT
VOTE BY MAIL STRONGLY ENCOURAGED
Limited in-person voting.



ELECTIONS.MARYLAND.GOV
Special General Election: April 28, 2020 [Learn More](#)



Maryland State Board of Electi ...

Make sure your ballot is postmarked on or before April 28, 2020 or delivered to a drop box location by 8 pm today!

Reminding all Marylanders that live in the 7th Congressional District to vote by April 28th. This isn't the statewide primary. It's an important special election to fill YOUR seat in Congress. Because of the coronavirus, the State Board of Elections urges everyone in the 7th District to vote by mail. It's free, easy and secure.

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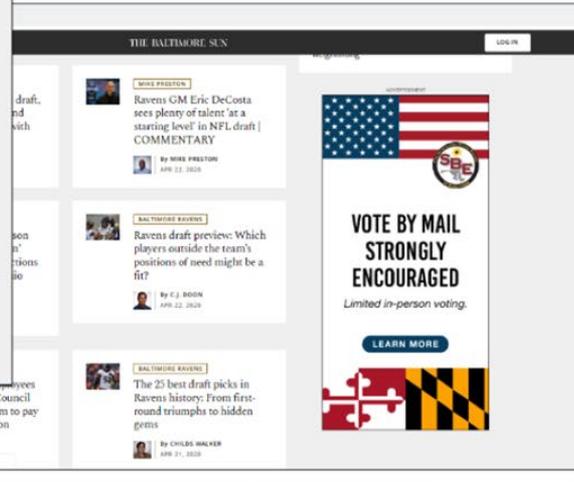
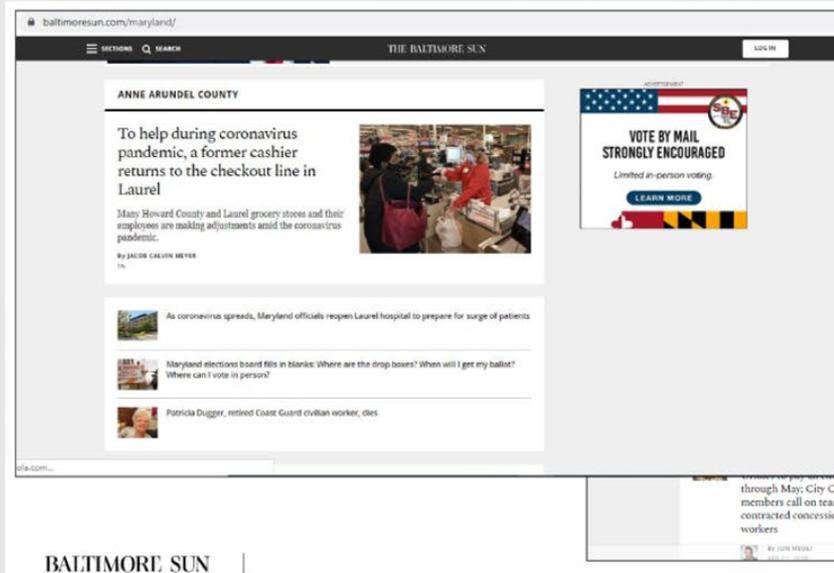
930 views
1 DAY AGO

Add a comment... [Post](#)

GOOGLE DISPLAY ADS



BALTIMORESUN.COM ADS



What did we learn?

- Mature absentee voting process can be expanded to a vote-by-mail process
 - Local election officials quickly transitioned to vote-by-mail
 - Work with USPS to understand differences in delivery rate data
 - Enhance audits to verify that all eligible voters receive a ballot
 - Expand voter education efforts
 - Voters liked the ballot drop off containers





Presidential Primary Election

- Getting Ready

- Sent almost 3.5 million ballots over a 2-week period
- Deadline to register to vote or change party is May 27th
- 42 vote centers will be open on June 2nd from 7 am - 8 pm
 - At least 1 and up to 4 centers in each jurisdiction

66 ballot drop off locations

- Open 24/7 from May 21st through 8 pm on June 2nd
- 1 at each vote center
- Additional locations in many jurisdictions

Planning vote centers to comply with social distancing and safety guidelines

Receiving PPE

Helping local boards provide remote access to canvasses



Presidential Primary Election

- Getting Ready (cont'd)

- Preparing statewide media campaign, including digital, print, radio, TV, targeted outreach and earned media

Stakeholder outreach and earned media underway

Digital campaign launched May 8 and expand as June 2 approaches

Radio and TV will begin airing this week (by May 14 or May 15)

What we've heard so far.....

- It's new for most voters. Voter education effort will help with this.
 - How do we make sure voters only vote once?
 - What do I do if I don't get my ballot?
 - What's the safest way to vote?

Why is "April 28, 2020" printed in the ballot header?

90,000 voters in Prince George's County didn't receive the English version of the instructions. They received only the Spanish version.

- English versions are en route to affected voters.
- No other counties have encountered this issue.

Will precinct-level results be available?

Timeline for Creating Ballots



- Started creating ballots: February 3

Deadline to certify the ballot: February 24

By March 17:

- Ballot databases were finalized and all ballot proofing was complete
- Ballots had been sent to military and overseas votes and delivered to nursing homes
- Ballots for in-person voting were already printed
- The post-election audit software was being customized for the ballots
- All versions of the ballots were sent to various vendors

On March 17, the presidential primary election was moved to June 2

Impact of Updating the Date

- Building and testing ballots is a deliberate process. Rushing introduces great risk, and there was not enough time to safely make this change.

Option # 1: Restart the ballot process

- Ballots had already been sent
- Must perform another set of testing after changing the date in the database
- The local boards in the 7th Congressional District did not have time to reproof their ballots
- Already issued ballots may not be scanned by the voting equipment
- Making changes to the online delivery system when voters are using is risky

Option # 2: Manually edit each version of each ballot style

- This would have required manually editing over 1,300 PDF documents and verifying formats
- Must perform another set of testing after manually changing the dates on the PDF documents
- The local boards in the 7th Congressional District did not have time to reproof their ballots

Presidential General Election



- As of now, it will be conducted as a “normal” election.

Our mailhouse can support a vote-by-mail election.

Our ballot printer has ordered enough paper for a “normal” election.

We are planning to produce precinct-level results for this election, regardless of how it is conducted.

Decision about how to conduct this election needs to be made in June 2020.

Questions?



State of Maryland

Special General Election for the 7th Congressional District Review

Election Data

Turnout by jurisdiction: 32%

- Baltimore City: 58,142 (25.0%)
- Baltimore County: 52,095 (38.1%)
- Howard County: 46,786 (38.5%)

In-person turnout: 1,004 voters

- Baltimore City: 453
- Baltimore County: 322
- Howard County: 229

Same day registration: 5 individuals

- Baltimore City: 4
- Baltimore County: 1
- Howard County: 0

Undeliverable ballots: 28,608

- Baltimore City: 20,367
- Baltimore County: 4,355
- Howard County: 3,886

Rejected ballots (Percentage based on total number of rejected ballots by county)

- Baltimore City: 2,172
 - 1,687 ballots were rejected for being late (78%)
 - 313 ballots were rejected for no signature (14%)
- Baltimore County: 1,503
 - 1,186 ballots were rejected for being late (79%)
 - 225 ballots were rejected for no signature (8%)
- Howard County: 1,460
 - 1,278 ballots were rejected for being late (87%)
 - 122 ballots were rejected for no signature (8%)

There were at least five voters at each vote center that used the ballot marking device to make their selections.

Voter Outreach & Education

- Message was seen or heard over 5.5 million times over 6 days
- Digital Media Strategy included Google Display, Facebook, and Instagram and targeted users 18-65+ living in the zip codes for the 7th Congressional District.
 - Google Display: We displayed ads when users were browsing websites, like blogs and news sites. This effort reached 2.8 million users during 7 days, with almost 3 times as many views as Facebook/Instagram. Users aged 25-34 garnered the most views, followed by users 65+
 - Facebook/Instagram: We displayed video and static image ads. Instagram delivered more impressions (57%) than Facebook, and static ads had more impressions than Instagram. This click-through-rate (users who clicked the ad and ended up on SBE's website) with Facebook and Instagram was twice that of Google Display.
- Radio and Baltimore Sun included a mix of stations to reach a diverse audience while focusing on an older demographic and BaltimoreSun.com. The result of the radio buys was over 1.5 million estimated impressions for \$17,000. The stations on which the ads ran were WLIF (101.9), WMMX (106.5), WBAL-AM, WOLB-AM, and WWIN (95.9). Rotating ads were placed on BaltimoreSun.com over five days and received over 213,000 views.

Lessons Learned

1. Mature absentee voting process can be expanded to a vote-by-mail process
2. Local election officials quickly transitioned to vote-by-mail
3. Work with USPS to understand differences in delivery rate data
4. Enhance audits to verify that all eligible voters receive a ballot
5. Expand voter education efforts
6. Voters liked the ballot drop off containers
7. The three local boards in the 7th Congressional District are sharing with their colleagues in other local boards their best practices for preparing for and conducting a vote-by-mail canvass

