



Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3/4G
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ANC 3/4G Resolution
Regarding Procedures for the
General Election in 2020

1. The District of Columbia Board of Elections' (BOE's) "mission is to enfranchise eligible residents, conduct elections, and assure the integrity of the electoral process."¹
2. The electoral process is an essential component of our democracy. Residents must be able to reasonably exercise their fundamental right to vote in every election. Registered voters must have confidence that their votes will be accepted and accurately counted. Residents, elected officials, and the Congress must trust that election results precisely reflect the will of District voters.
3. The coronavirus public health emergency has been in effect in the District since March 11, 2020, and has substantially impacted the electoral process and the BOE's work. On April 7, 2020, the Council passed legislation that for the June 2, 2020 primary and the June 16, 2020 special election, required the BOE to send an absentee ballot application with a postage-paid reply envelop to all registered voters and waive the requirement for a signature on absentee ballot requests.² On May 5, 2020, the Council passed further legislation to reform ballot access for the November 3, 2020 general election.³

¹ See <https://dcboe.org/About-Us/About-Us/Board>.

² "COVID-19 Response Supplemental Emergency Amendment Act of 2020," Sections 505 and 506, <https://bit.ly/3eXUaKA> at pages 37-38.

³ "Coronavirus Omnibus Emergency Amendment Act of 2020," Sections 21-22, <https://bit.ly/3eZsFjs> at pages 21-22

4. For the June 2, 2020 primary election, the BOE encouraged registered voters to request absentee ballots and to vote by mail. The BOE did not send ballots to every registered voter but instead required that voters complete an application for an absentee ballot. In order to reduce potential coronavirus exposure, the BOE also reduced the number of in-person voting places from the usual 144 precincts to only 20 polling sites, but all of those sites were open for early voting beginning on May 22, 2020.
5. The June 2, 2020 primary election was fraught with problems, including long lines at the reduced number of polling places. Many voters did not receive the absentee ballots that they requested and were told on Election Day that they could vote in person if their mail-in ballot never arrived.⁴ Polling places remained open for those who were already in line, but some voters were not able to vote until after midnight when the polls closed at 8:00 pm. There was also confusion about in-person voting because of the Mayor's imposition of a 7:00 pm curfew on Election Day even though she indicated that the curfew did not apply to those who were exercising their right to vote.
6. The November general election will likely have many more voters than the June primary. (For the June primary, only a little over 20% of registered voters participated, and only 34,000 voted early or on Election Day at the polls.) It is essential that the problems experienced in June not be repeated in November.
7. The Mayor and the Council should conduct a thorough investigation of the failures in the primary election and identify specific changes that must be implemented for the general election. Among other things, the Council needs to determine whether the BOE effectively notified voters of the availability of absentee ballots and the changes in polling locations, whether staffing and procedures at polling locations were adequate to accommodate voters practicing social distancing, whether BOE responded reasonably to voter questions and complaints about access to absentee ballots, and whether the BOE conducted adequate load tests to ensure that its on-line absentee ballot request system would be up to the task. Based on their investigations, the Mayor and the Council should determine whether the leadership at the BOE should be changed in order to assure a successful general election or whether the existing leadership should be retained to preserve continuity.
8. The Council should also consider whether it is feasible to move to greater use of mail-in ballots for the November 3, 2020 general election. A 1998 ballot initiative in Oregon made it the first state to conduct elections exclusively by mail, and it

⁴ See "D.C. Officials Say They're Demanding Answers On Long Lines And Lost Ballots On Election Day," *The DCist*, June 4, 2020, available at <https://bit.ly/30h2y3l>.

has had consistently higher turnouts with no evidence of increased fraud.⁵ On May 8, 2020, because of the COVID-19 emergency, the governor of California issued an executive order requiring that “every Californian who is eligible to vote in the November 3, 2020 General Election shall receive a vote-by-mail ballot”⁶ — not merely a request for a ballot.

9. Mail-in ballots help to level the playing field by make voting easier and more convenient for voters and typically increase the number of voters. Registered voters who cannot take a day off work to vote on Election Day for who do not have the time because of work, day-care, or transportation to vote early or are in a COVID-19 vulnerable group must have the same opportunity to vote as others. A properly run mail-in ballot election helps accomplish this and should also be less expensive than the traditional vote-in-person election. Again, there is no evidence that vote-by-mail increases fraudulent voting.⁷
10. The Commission urges the Council to require for the November 3, 2020 general election that the BOE send ballots to all registered voters and that voters be encouraged to vote by mail. The Council should determine whether it is possible to make vote-by-mail the exclusive voting mechanism for the November election or whether some in-person option should be retained for this election. If an in-person voting option is necessary, the Council should ensure that voters can vote in a timely fashion while maintaining social distancing. For future elections, the District should follow the Oregon model and use mail-in ballots exclusively.

⁵ See “Mail-in voting in Oregon has worked for decades, says Republican,” *The Hill*, April 16, 2020, available at <https://bit.ly/3clJcGZ>.

⁶ California Executive Order N-64-20, May 8, 2020, available at <https://bit.ly/3clKJwJ>.

⁷ “Low rates of fraud in vote-by-mail states show the benefits outweigh the risks,” Brookings, June 2, 2020 (using Heritage Foundation data), available at <https://brook.gs/378RPtg>.

Approved by ANC 3/4G after a discussion at its regularly scheduled and noticed June 8, 2020 meeting by a vote of 7 to 0 (a quorum being 4).

Randy Speck, Chair

Abe Clayman, Secretary

cc: Mayor Muriel Bowser

Council Chair Phil Mendelson

Councilmember Mary Cheh

Councilmember Brandon Todd

Councilmember Charles Allen

District Board of Elections Chair Michael Bennett

District Board of Elections Executive Director Alice Miller