State Election Emergencies Modifications During the 2020 General Election

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EXECUTIVE SUMMARY

Despite Congress' constitutional power to regulate federal elections, it has repeatedly abstained from doing so. The lack of a policy regarding federal elections meant that states were primarily responsible for managing the effects of the pandemic on the 2020 general election. It was up to individual states to enact statutes, issue rules or emergency orders to deal with the public health risks associated with voting during the pandemic. The variations in their responses to the election emergency caused by the COVID-19 pandemic could have had implications on accessibility, turnout, and the perceived legitimacy of the election. To understand this relationship, we to cataloged the measures states took in 2020 in preparation for the general election and draw conclusions as to their effects on vote access. We also determined how or whether a federal government policy on disrupted elections could have aided states in responding to the elections emergency caused by the pandemic.

We initially thought to use turnout as a dependent variable to measure the effects of emergency measures to promote vote access. Given measurement challenges and a lack of available turnout data from 2020, we opted to create a scorecard to estimate the totality of state measures to promote accessibility during the 2020 general election. We allocated points based on the quality and quantity of measures enacted to mitigate the impacts of the pandemic on access to voting.[1] We included four categories deemed essential to voting accessibility: mail-in voting, deadline extensions, changes to polling places, and ballot drop-off boxes. This allowed us to make judgments as to the relative quality of state responses to the pandemic election emergency. We also analyzed states' elections emergency statutes prior to the 2020 election to understand whether preparedness impacted accessibility. Lastly, we analyzed whether state emergency measures had an effect on voter perceptions of the election's legitimacy.

Generally speaking, partisan considerations predominated over state responses to the pandemic election emergency, reflecting the highly polarized political atmosphere of the 2020 election over attitudes regarding COVID-19 and mail-in balloting. We found that partisanship had a strong effect on the degree to which a state took action to increase access to voting. Democratic states tended to take stronger emergency actions to increase accessibility, while Republican states were less likely to enact emergency modifications. This difference was especially true for state actions related to mail-in balloting. We also concluded the existence of preexisting state laws concerning elections emergencies had little effect on their responses during the 2020 general election. Lastly, we found that partisanship was more highly correlated with voter perceptions of the election's legitimacy than was the scale of election modifications states made.

STATE ELECTIONS EMERGENCY MEASURES SCORECARD

Due to variations in state reporting, voter turnout data was difficult to obtain to conduct a causal analysis of state actions on access to voting. As an alternative to a causal analysis, we catalogued the states' policy actions and quantified their relative importance to accessibility in a scorecard. Grading states' legislative changes in response to the COVID-19 pandemic allowed us to compare the relative scale and quality of states' efforts to mitigate the 2020 election emergency.

An example of this approach comes from the Brookings Institution's "Voting by mail in a pandemic: A state-by-state scorecard" by a team lead by Elaine Kamarck.[2] Last updated in November 2020, this scorecard evaluated the states' preparedness for the COVID-19 pandemic by focusing specifically on their mail-in voting laws. For each state, the Brookings researchers assigned letter grades to each state, ranking them based on the quality and quantity of the mail-in voting policies they used. States were awarded points based on twelve dimensions that captured the ease with which voters could apply for, receive, and submit an absentee ballot.

We created a scorecard that expands upon the Brookings approach to capture a broader range of election emergency policy responses. We graded states based on how well their actions improved voter accessibility, as measured by drop-off box policies, voter registration and ballot submission deadline extensions, and adjustments to in-person polling places. To compile our scorecard, we identified state election emergency actions using a variety of sources, including official state websites and elections databases.[3] State government websites proved helpful in determining the specificities of a state's election proceedings. Still, there was large state-by-state variability in the amount of information published. Thus, the availability of the documentation of state election emergency measures—most notably in relation to polling place location changes—may have had an effect on a state's final overall scorecard grade.

Assigning Scorecard Point Values

Our point allocation is based on the relative importance of state's actions designed to maintain or increase accessibility during the pandemic.[4] The most important provision that states could take was universal vote by mail. This policy earns the highest point allocation because it maximizes voter safety, and makes further modification such as polling place adjustments and drop-off box changes less important. The provision of absentee ballots was the second highest score or similar reasons. Within absentee balloting, we delineated two mutually exclusive categories: voters needed an excuse to request the ballot, or voters were able to use COVID-19 as a valid concern. Needing to prove one's vulnerability to the virus, or meeting criteria that the states deemed as acceptable, could deter voters. On the other hand, 'no excuse needed' is only one extra step from universal mail-in voting.

Several criteria detracted from state's mail-in ballot scores. Requiring a notary or

witnesses—especially in a socially-distanced pandemic—would likely decrease turnout. Additionally, requiring a photo ID could have prohibited eligible voters from voting if they could not obtain one prior to the election. On the other hand, states received more points for giving voters a longer range of time in which to submit their ballot. This is because requiring ballots to be submitted a day before polling closes introduces the probability of delays that render the vote uncounted, such as poor mailing service capacity. Lastly, states received points proportional to the number of channels in which they allowed ballot submission, including via mail, in-person, or through drop-off boxes. For example, drop-off boxes granted flexibility to at-risk individuals while decreasing crowding at polling places. Deadline adjustments were another way that states gave voters time to adapt to the new voting circumstances and rules, so we decided to include deadline extensions as one of the factors in our scorecard. With respect to polling places, we gave each 'change' the same point allocation. This is because the extent of implementation and adherence is ultimately unknown. For example, despite many state's encouragement of mask use, almost every state still allowed mask-less voters to vote. For this reason, we differentiated between mask requirements for voters and poll workers. Changes to polling locations, including reducing them in the number and/or moving them were accounted for. considered. Polling locations were moved primarily because of the inability of old location arrangements to keep voters and poll workers safe (social distancing, ventilation, outside space). Still, the expansion of mail-in voting ameliorates the need for these changes. A detailed explanation of score criteria and point values can be found in Appendix A.

Findings

The scorecard has a possible score of 37, and states scored within a range of 25 to -2. Grades ranges were divided into five equal parts, with 'A' assigned for states scoring within a range of 25 to 21, and so on. The modal grade was a 'D,' with only four states—Hawaii, New Jersey, Utah and Washington—achieving an 'A' grade (see figure 1 and appendix B). The mail-in category had the most variation in the number and kind of measures states took. The variation in mail-in modifications overlapped to a degree, which made it unlikely one state would have enacted all of them. Hence the highest score a state attained, New Jersey's 25, was 12 points below the maximum possible. State measures that had the effect of reducing accessibility, such as requiring voter identification or witness signatures, were scored as negatives. Missouri, the lowest score at -2, took no affirmative actions to modify their elections according to our scorecard, with the exception of the legislature disallowing ballot drop boxes.

Judging from table 1, there were some regional variations in scores, with western states tending to score higher and southern states scoring quite low. In fact, western states scored an average of a grade-and-a-half higher than southern states. Westerns states may have scored higher due to the fact that some already had all mail-in elections before the pandemic (OR, WA, CO, HI), and many

had no-excuse absentee balloting.[5] The generally low scores of southern states suggested that the partisanship of a state may have affected their likelihood of responding affirmatively to the election emergency posed by the pandemic.

There are many well-documented differences between Republicans and Democrats attitudes during the 2020 election cycle regarding both mail-in balloting and the dangers posed to the public by COVID. President Donald Trump's attacks on mail-in balloting as illegitimate, and the constant underplaying of the dangers of the pandemic to public health, may have had an effect on the degree a state pursued increasing voting accessibility in 2020. To test this, we used the Cook Political Report's 2020 Partisan Voter Index (PVI) to compare a state's level of partisanship with its score on our election emergency scorecard. In figure 2, zero marks an even balance between the parties, with negative scores indicating higher levels of Democratic support, and positive scores indicating Republican support. The trendline in the scatterplot indicates a state's degree of Democratic voter support meant greater efforts at increasing accessibility during the 2020 election. The correlation coefficient between 2020 state PVI scores and accessibility scores is highly significant at 0.462 ($p < .01$).

Conclusion

The Elections Emergency Accessibility Scorecard measures the variation in state responses to the COVID-19 pandemic during the 2020 general election. Its scoring is weighted toward mail-in modifications, as we felt these were more effective increasing accessibility to voting under the conditions of the pandemic. The polarization of partisan attitudes around both mail-in balloting, and the risk that COVID posed to public health, increased the influence of partisanship over the type and scale of modifications states pursued. Republican states tended to make minimal emergency modification to increase access, while Democratic states made more comprehensive efforts. While we can state this tended to make Republican states' elections less accessible under the conditions of the pandemic, we cannot state that it had an effect on turnout. Given the generally record high turnout during the 2020 general election, it may be that voters managed to adapt and access voting despite state variations in accessibility.

Table 1. Regional Differences in Elections Emergency Grades

| Region	A	B	C	D	F	Modal	Avg. GPA
All States	4	12	13	17	5	D	1.87
Western States	3	5	1	3	0	B	2.67
Eastern States	1	3	3	1	1	B, C	2.22
Midwestern States	0	2	5	3	1	C	1.73
Southern States	0	2	4	10	3	D	1.26

Source: Elections Emergency Accessibility Scorecard.

Figure 1: Map of 2020 State Elections Emergency Modification Scorecard
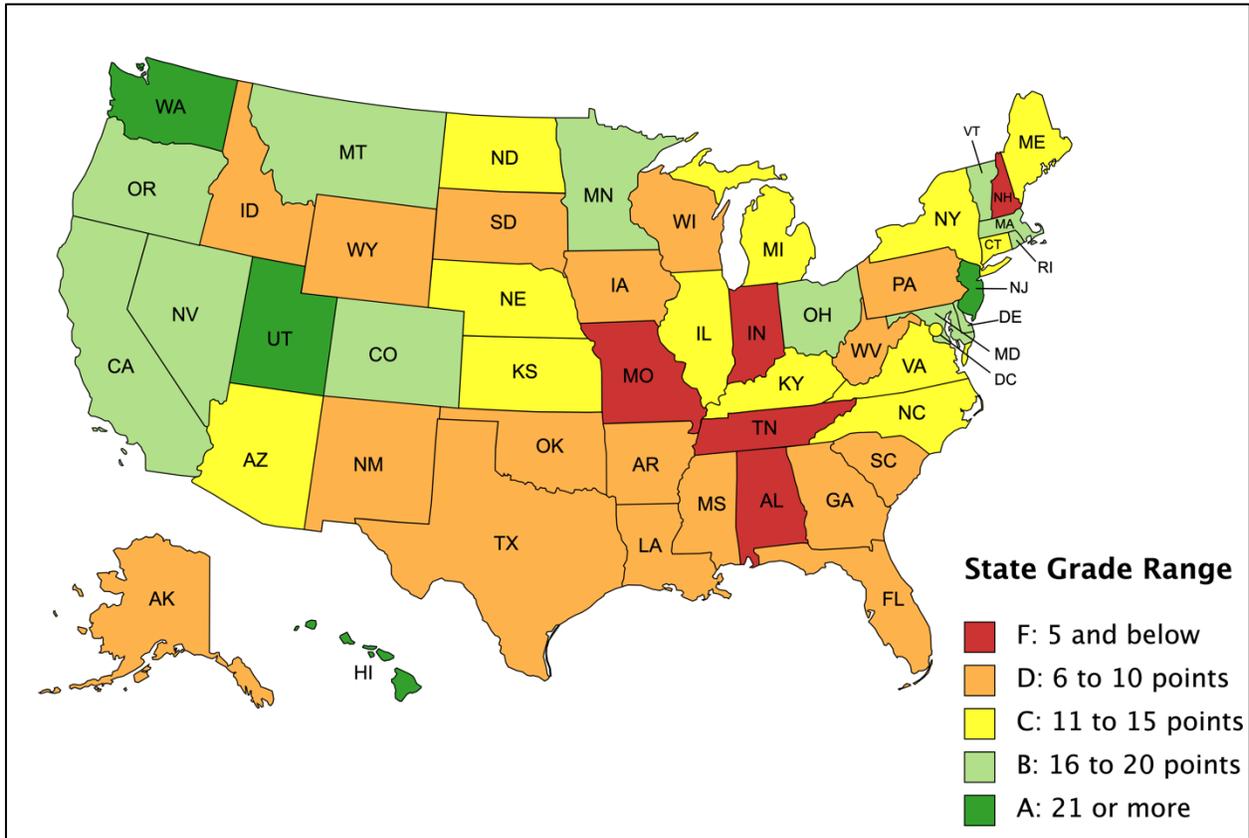
Source: Scoring based on criteria in Appendix A.

Figure 2: Scatterplot of Election Emergency Score and Partisanship
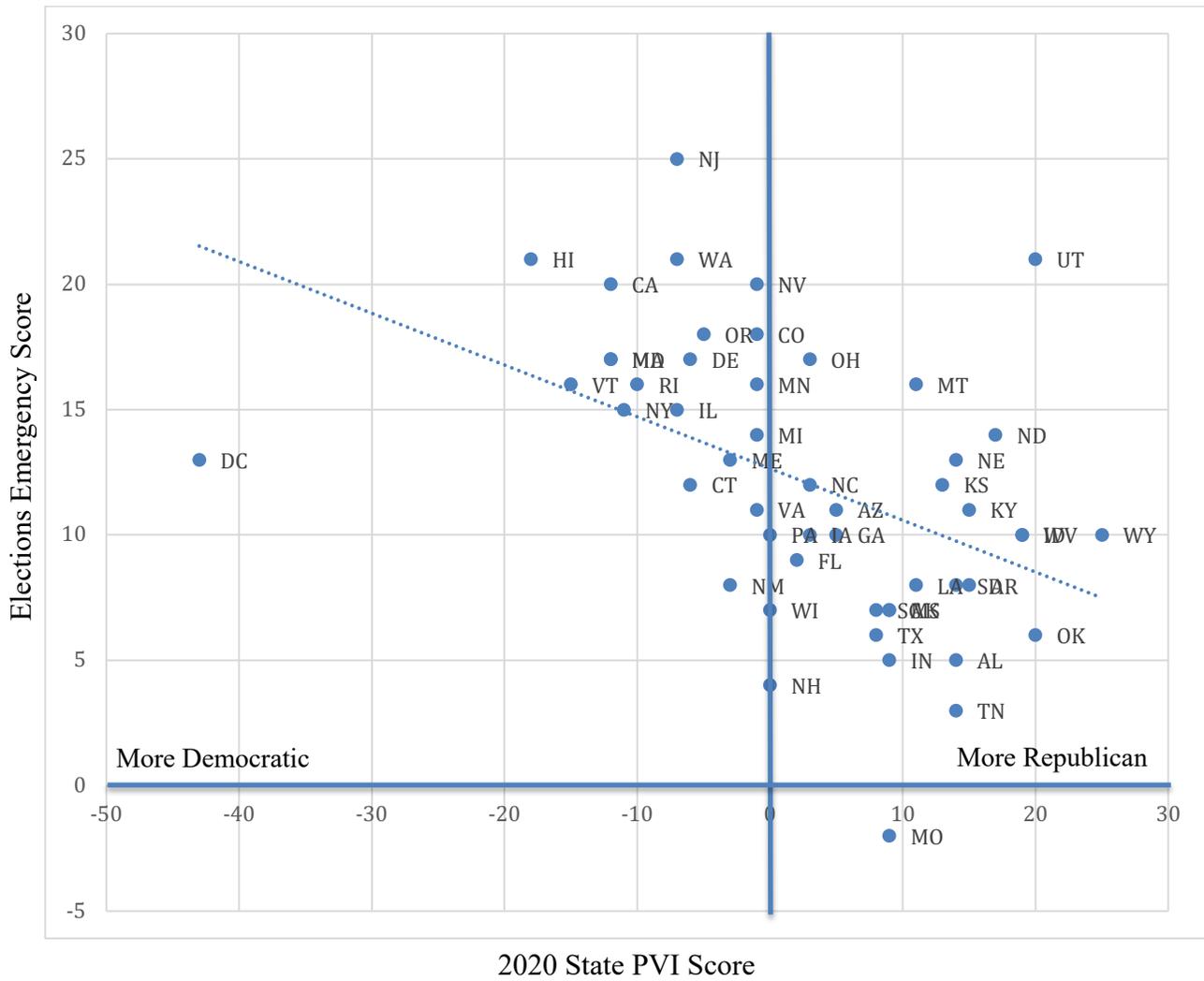
Source: Cook Political Report (https://cookpolitical.com/state-pvis) and Elections Emergency Accessibility Scorecard.

PRE-2020 STATE ELECTIONS EMERGENCY LAWS

In this section, we examine the relationship between states' pre-2020 preparedness and their performance in the 2020 election. To do this, we used data collected by the Policy Lab in the Fall of 2020. This was to better understand the impact of pre-2020 election provisions on states' ability to administer safe and accessible elections. We concluded that certain pre-2020 provisions were necessary but not sufficient for the successful administration of the general election. This supports the notion that no single provision was sufficient for safeguarding the general election during the pandemic. Rather, states authorities capitalized on pre-existing safeguards in order to respond to the safety and accessibility concerns that arose during the election emergency.

State Election Emergency Laws

We compared accessibility scores to states' election emergencies legislation before the 2020 general election. There was no relationship between whether a state did not have any elections emergency provisions in law, required a general emergency declaration, or had specific laws that detailed authority in elections emergencies. For example, Massachusetts and Rhode Island, both of which have no mention of elections emergencies in their state laws, both earned a 'B' on the scorecard. Iowa and Oklahoma, which have specific election emergency statues, both earned a 'D."

Election Emergency Declaration Authority

We looked at which state governmental authority had the power to issue election emergency interventions before 2020, to examine any relationship between how such powers are designated and states' overall performance in 2020 election administration. We examined this by calculating the GPA of states in with different election emergency decision makers. We used a standard 4.0 GPA scale, where an A equals a 4 and an F equals zero, to calculate the average state GPA for each group. As seen in Figure 3, when comparing across the various types of authority designation, local authority control fared poorest in promoting accessibility. States that granted executives the power to issue election emergency interventions scored more than twice as well as local authorities in promoting accessibility. This may indicate that entrusting state executives with the power to issue emergency interventions is superior to investing local authorities. However, states that had no authority specified in law scoring nearly as high as those that defined state executives. Whatever variation there is in how states responded to the 2020 elections emergency, it is not well explained by how they invest elections emergency powers.

Pre-2020 Mail-In Provisions

The final variables we compared were the states' mail-in ballot procedures before the 2020 general election and the final scores represented through GPA. Figure 4 shows the four states that conducted elections

exclusively through mail-in ballots before the 2020 general election earned an average 3.5 GPA according to our scorecard. States that allowed absentee balloting without an excuse scored a 2.1 average GPA. Finally, the states that required a valid excuse to submit an absentee ballot averaged a 1.35 GPA – an entire letter grade lower than the previous group. Our scorecard awarded significant points to states that had generous mail-in voting options, so states that already had all-mail elections generally scored higher. It also seems that states with restrictive absentee balloting before the pandemic tended not to adopt more accessible options during the 2020 election. In figure 5 we compare the number of states with mail-in voting procedures in place before the pandemic to those enacted during 2020 general election. There was an increase in the number of states that issued mail-in ballots to all voters, but not in those offering unconditional absentee ballots.

Conclusion

There is some evidence that pre-2020 state elections laws had some positive impact on their measures to increase access to voting during the pandemic. However, it seems likely that a state's mail-in balloting laws pre-2020 tended to predict their election modifications during the pandemic. States that already had unconditional absentee balloting or all mail-in elections did better in increasing access.

A state's partisanship was correlated with enacting modifications to increase accessibility, particularly those involving unrestricted mail-in voting. It seems likely that partisan differences on the legitimacy of mail-in balloting and how much of a risk COVID posed to public health largely determined the degree to which states pursued increasing vote access in the 2020 general election.

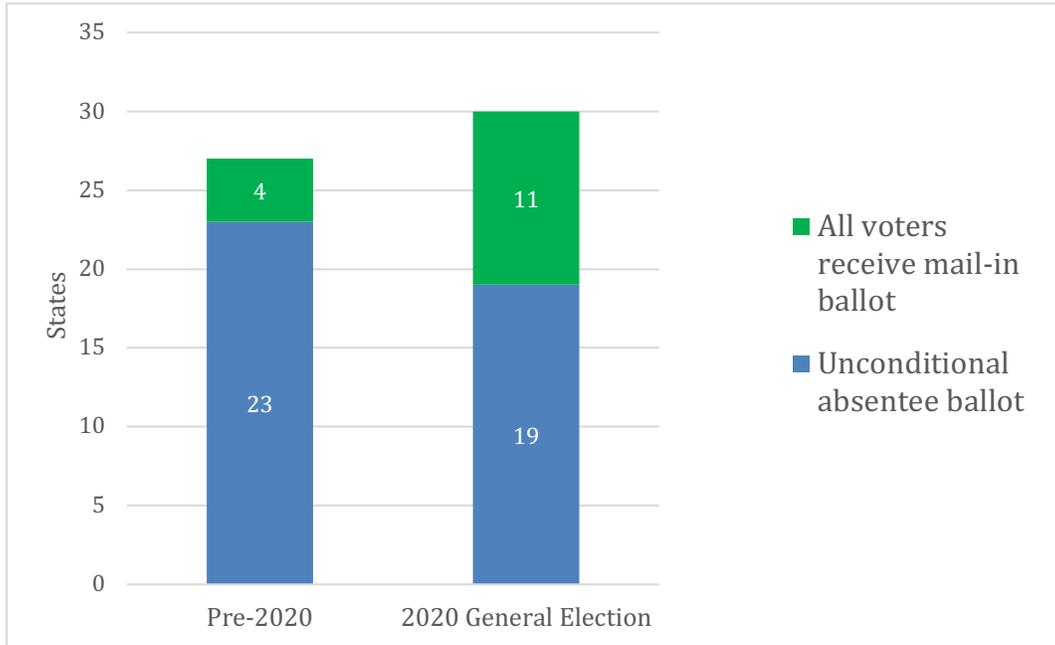**Figure 3: Average Accessibility Scores and State Election Emergency Authority**
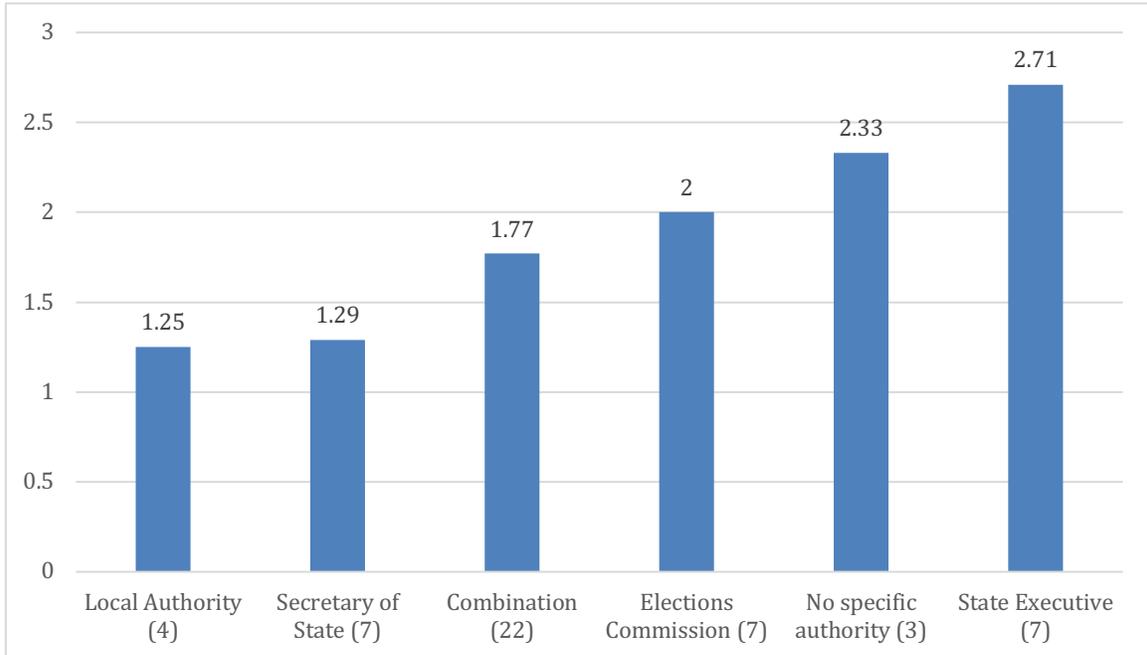
Source: Policy Lab "Analysis of State Election Emergency Statutes," Nov. 6, 2020; Elections Emergency Accessibility Scorecard.

Figure 4: Pre-2020 Election Mail-In Balloting Laws
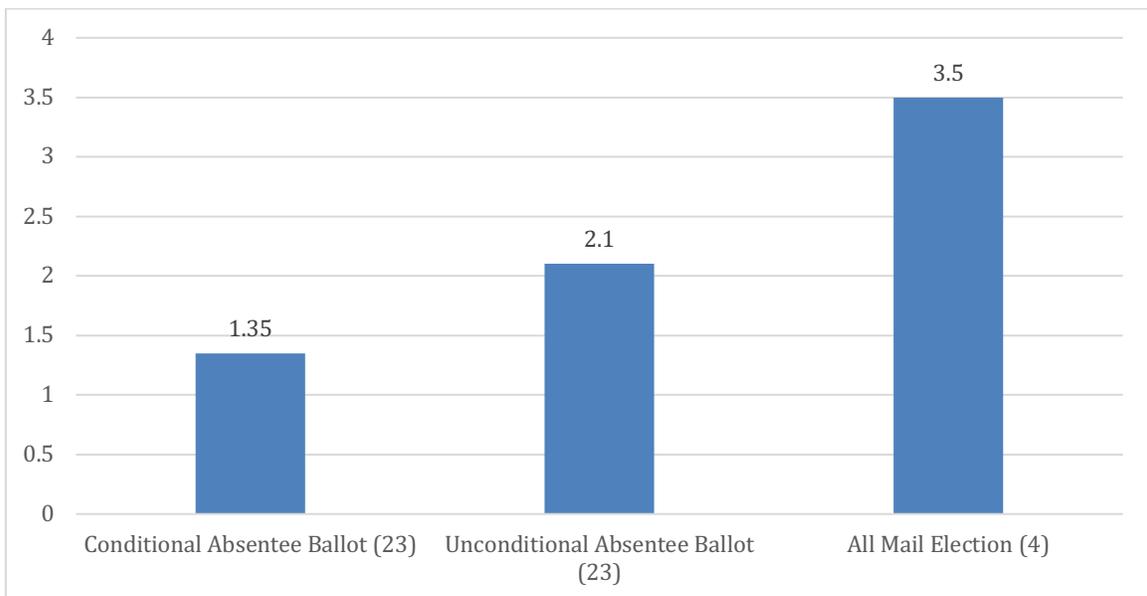
Source: "Analysis of State Election Emergency Statutes," Policy Lab Memo, Nov. 6, 2020; Elections Emergency Accessibility Scorecard.

Figure 5: Mail-In Voting Rules Pre-2020 and During the 2020 General Election

Source: "Analysis of State Election Emergency Statutes," Policy Lab Memo, Nov. 6, 2020; Elections Emergency Accessibility Scorecard.

EMERGENCY ADAPTATION EFFECTS ON PERCEPTIONS OF LEGITIMACY

The Lab examined connections between levels of state elections adaptations and perceptions of the legitimacy of the election. Much of the criticism of the 2020 election from the Republican Party and the Trump campaign had to do with questions about the legitimacy of how the elections were conducted. While there is a lack of evidence of elections fraud or malfeasance, the number and kinds of modifications that were made by states to the conduct of elections may have opened the process up to question. To examine whether elections modifications affected perceptions of legitimacy we examined elections lawsuits over the 2020 election, and survey data of voter perceptions of the legitimacy of the general election.

Elections Lawsuits and State Election Modifications

We evaluated perceptions of legitimacy by analyzing the elections-related lawsuits filed in each state throughout the 2020 election. Our theory is if changes to election laws were widely considered illegitimate, then the likelihood of litigation over these measures should increase. It is also possible that such litigation simply resulted

from competitive elections in key battleground states, and had nothing to do with a state's emergency election modifications. We used the Stanford-MIT Healthy Elections Project's "COVID-Related Election Litigation Tracker" to identify each state's state-level and federal lawsuits and appeals that stemmed from the 2020 general election to determine this.[6]

In analyzing elections litigation over the 2020 general election, we did not find a relationship between the number of lawsuits in a state to the number of modifications they made to increase vote access. This was true for cases at both the state and federal level. We also examined the number of appeals and found no relationship. The degree of election litigation appears to be most closely correlated with a state's electoral competitiveness. Each of the seven states with the highest number of lawsuits were at least partially contested in the general election. This is also the case for 11 of the top 14, with the crucial swing states of Pennsylvania and Michigan leading with over 40 cases each.

Measuring Voter Perceptions of Legitimacy

The dataset that we used to measure legitimacy perception was compiled by a series of researchers from US universities and collected as part of "The COVID Project: A 50-State COVID-19 Survey."[7] We examined confidence in the fairness of the election and in the accuracy of the vote count in the 2020 general election and compared it to the scorecard. In figure 6 voter perceptions of fairness are compared to state scores on election accessibility. The trendline shows a positive association with the scorecard and perceptions of fairness. However, the correlation between partisanship and measures of legitimacy are much higher than with our scorecard (see table 2). This suggests that the partisan composition of a state was more highly correlated with perceptions of legitimacy than was a states' emergency election modifications during the pandemic.

Table 2: Comparing Perceptions of Legitimacy in the 2020 General Election

Measure of Legitimacy	State 2020 PVI	Scorecard
Voter confidence in the fairness of the election	0.429*	0.287**
Voter confidence in the accuracy of the vote count	0.443*	0.114**
* p < .05, ** p < .01		

Source: Data from the COVID-19 Consortium for Understanding the Public's Policy Preferences Across States,[8] Elections Emergency Accessibility Scorecard.

Figure 6: Scatterplot of Elections Accessibility Scorecard and Voter Perceptions of Fairness in 2020 General Election
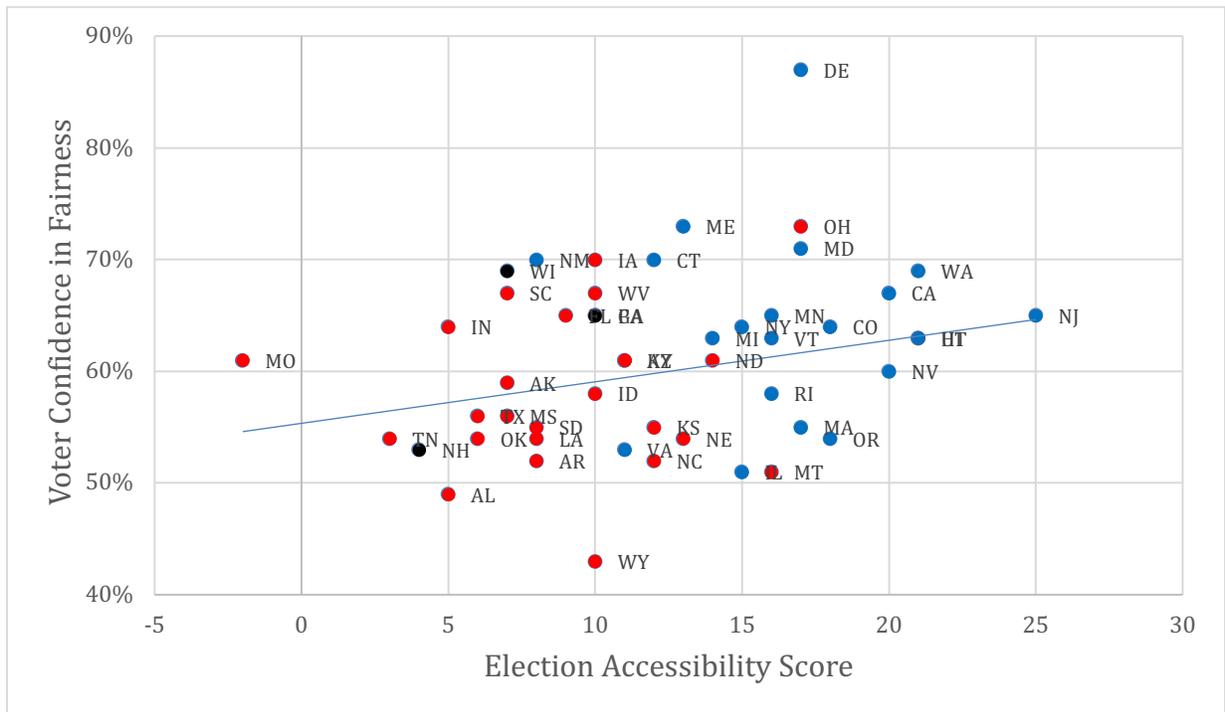
Source: Data from the COVID-19 Consortium for Understanding the Public's Policy Preferences Across States.[9]

POLICY IMPLICATIONS

During the 2020 election, the political response to COVID-19 was heavily influenced by partisanship. A bipartisan national consensus never fully formed over the degree to which the pandemic threatened public health. Mail-in balloting, once a fairly anodyne elections tool that was used by both parties in various states, became an object of criticism by Republicans wary of its potential to undermine the integrity of the election. While these worries were proved to be baseless, the partisan rancor that surrounded the election affected how states chose to respond to the pandemic in modifying their elections to accommodate greater access. Due to the polarization of views over pandemic response and mail-in balloting, state actions to modify elections was largely predicated on their partisanship. Democratic states chose to make changes to maximize access, while Republican states took lesser strides.

Given the unique and polarized partisan cast election policy took in the 2020 general election, it is difficult to draw many useful policy recommendations from the

experience of the pandemic for the consideration of a national elections emergency policy. This is particularly true given the record national turnout across the country, despite the wide variation in how states adapted their elections to the pandemic. Moreover, the pandemic itself presented unique and unusual emergency conditions: while the sudden shutdown of the country in March of 2020 caused confusion and disruption to the presidential primaries, states had months to plan and adapt to the pandemic by the time of the general election. Lastly, emergencies that affect the elections of the entire nation are uncommon, as are global pandemics at the scale and threat of COVID-19.

FUTURE WORK

While there may not yet be clear policy implications drawn from the experience of the 2020 general election, there still remains a question of what effect increased accessibility had on turnout. This is an interesting and increasingly relevant question, as Republicans in state legislatures are actively pursuing policies to curtail even the modest increases in ballot access that were made to adapt to the pandemic. Democrats argue that narrowing access to voting leads to voter suppression, and particularly undermines the voting ability of minorities. We believe this project could be continued to examine turnout and learn how voters responded to election modifications during the 2020 general election. This could be accomplished by comparing state-level turnout to our scorecard to see if accessibility led to higher turnout. We could also examine how the effects of accessibility were distributed among different demographic groups. This approach is suggested by a recent article from the Stanford Institute for Economic Policy Research.[10] We could compare microdata from counties like Los Angeles in California and Harris County in Texas to see how variation in accessibility affected voters using measures like age, income, partisanship, and race. Our findings would help inform the current state-level debate regarding vote access.

ACKNOWLEDGEMENTS

ABOUT THE AUTHORS

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APPENDIX A:
SCORECARD CRITERIA AND POINT ALLOCATION

This scorecard measures the efficacy of state laws and actions to increase the accessibility of the 2020 US general election for eligible voters.

37 points possible

Mail-in Adjustments (22 possible)

1. Universal Vote-By-Mail
    a. Voters automatically receive a ballot (10 points)

Criterion: There is a state law that provides every registered voter with a ballot without needing to request one.

Scoring Justification: This option is the best possible mail-in vote strategy to increase voting accessibility, because it reduces steps that may deter voters and enables voters to safely vote from home despite the threat of the pandemic. While there may be concerns over who may be eligible to receive a ballot which ought to be addressed, this is the best method to streamline the process of receiving a ballot which, in turn, optimizes voter election accessibility. It also overrides each of the following sections point-wise because it retains each of their benefits in addition to its own unique benefits. Therefore, universal vote-by-mail receives the highest possible voting accessibility score.

2. Requesting an Application for Absentee Voting (select one)
    a. All registered voters receive an application (4 points)

Criterion: There is a state law that provides every registered voter with an absentee ballot application without requesting one.

Scoring Justification: Section 2 a and b of the mail-in adjustment section of the scorecard indicate the second-best provisions for states to increase voting accessibility. While the additional step of filling out an application may decrease voter turnout compared to universal vote-by-mail, removing the step to request a ballot may increase voter turnout.

    b. No excuse is required for an application (3 points)

Criterion: There is not a state law that requires voters to provide an excuse to receive an absentee ballot.

Scoring Justification: This option ensures that voters who may not be able to provide proof of COVID-19 vulnerability, but who would not otherwise vote because they are concerned about

transmitting the COVID-19 virus to others, for instance, are not prohibited from absentee voting. With a wider array of people who can vote by mail, the accessibility to the election increases.

    c.   COVID-19 concerns are permitted to request an application (1 point)

Criterion: There is a state law that requires voters to provide proof of COVID-19 vulnerability or other concerns that a state deems as an acceptable excuse in order to receive an absentee ballot.

Scoring Justification: While it is beneficial to have an absentee voting option at all, requiring proof of COVID-19 vulnerability or other criteria decreases the accessibility of the election because excludes those who would otherwise vote if they were given the opportunity to use vote-by-mail.

  3. Completing a Mail Ballot
      a. Ballot does not require a witness signature (2 points)

Criterion: There is not a state law that requires voters to have their absentee ballot signed by any person other than themselves in order for it to be valid.

Scoring Justification: By not requiring voters to interact with other people in order to submit their ballot, more people are likely to vote because concerns of virus transmission are virtually eliminated. Therefore, this option earns the highest score in this section because it optimizes accessibility.

    b.   Voters need a notary or two witnesses to complete an absentee ballot (-2 points)

Criterion: There is a state law that requires voters to have the signatures of either a notary or two witnesses on their absentee ballot in order for it to be valid.

Scoring Justification: Requirements to interact with other people during the COVID-19 pandemic prohibits individuals from voting, due to people's concern of virus transmission. Therefore, this option reduces a state's score because it actively reduces accessibility.

    c.   Voters are required to provide a copy of photo ID for the mail application and/or ballot – (-1 points)

Criterion: There is a state law that requires voters to include a photocopy of a government-issued ID either at the point of absentee ballot request or included with the mail-in ballot upon submission. This score does not include provisions requiring voter ID at the point of voter registration.

Scoring Justification: Requiring voter ID may prohibit eligible voters who are unable to procure an ID for the election from voting. The young, elderly, people of color, and people with low income are all less likely to not have access to photo ID, preventing them from voting in the election and decreasing turnout. Therefore, states that require voter ID to vote lose points because this provision decreases accessibility.

      d. Legislation expanding vote-by-mail within 2 months of the 2020 election reversed at Supreme Court Level (-2 points)

Criterion: This option is counted if the Supreme Court reversed a state's previous decision to roll-out absentee voting.

Scoring Justification: While the original effort to allow vote-by-mail is commendable for increasing accessibility, reversing this decision ultimately would harm accessibility because it may prohibit a significant number of people from voting, namely those without access to personal mailing addresses.

    4. Submitting a Mail Ballot (select one)
      a. Ballot is accepted if postmarked by election day and received beyond 5 or more days from election day – (3 points)

Criterion: There is a state law that allows mail ballots to be considered valid if postmarked by election day, and a deadline for ballots to be received 5 or more days after election day.

Scoring Justification: States with a flexible submission period eases the pressure on the mailing system. The more flexibility built into the submission process, the greater the ability for election officials to validate ballots. Therefore, this is the best possible option in this section because it optimizes accessibility by ensuring that eligible voter's ballots are counted.

      b. Ballot is accepted if postmarked by election day and received within 5 days from election day – (2 points)

Criterion: There is a state law that allows mail ballots to be considered valid if postmarked by election day, but the deadline for receiving ballots is within 5 or less days after election day. States do not receive any points from this score if the state requires that a ballot must be received before close of polls on election day.

Scoring Justification: This is the next best option because while the reception deadline may not be as forgiving as option 4a, it still allows some time for ballots to be received and counted.

      c. Mail ballots are due before close of polling – (-1 points)

Criterion: There is a state law that requires ballots to be received before close of polls on election day to be counted.

Scoring Justification: The less flexible the mail-in ballot deadline receipt deadlines, the more likely a voter's ballot is not counted for reasons out of their control, namely, mailing services. Therefore, this option penalizes states because it decreases accessibility for voters whose ballots would otherwise be counted. It also delegitimizes mail-in voting, creating a deficit that in-person voting does not have, which may communicate to voters that this option is inferior.

    5. Channels for Submission (select one)
        a. Mail and in-person channels are available – (2 points)

Criterion: The state provides the option for voters to return an absentee ballot by mail as well as in-person at a voting center or other location. States that require absentee ballots to be submitted solely by mail receive no points for this score.

Scoring Justification: While the omission of ballot boxes reduces voter accessibility, providing multiple channels for submission still earns states a point because having the option to vote in-person as well as through mail appeals to the different needs of voters.

        b. Voters can submit an application for an absentee ballot via three or more channels – (1 point)

Criterion: The state includes states that have methods for requesting an absentee ballot application in addition to mail or in-person options, such as by emailing a state or local official or calling an election office.

Scoring Justification: This option provides states with a bonus point for including channels for submission in addition to in-person, mail-in, and drop-off boxes.

Drop-off Boxes (out of 4)

    1. Ballot Submission Policies (select one)
        a. Drop-off boxes explicitly required by state law – (2 points)

Criterion: Drop-off boxes are made available on Election Day and/or during early voting in every county of a given state, as per state law or an announced policy of a state election official.

Scoring Justification: The use of ballot drop-off boxes is advantageous particularly for at-risk voters who wish to minimize contact while reliably casting their vote. Requiring drop-off boxes by state law or an announced policy of a state election official is the best way to reduce the overcrowding at polling places and provide another safe, reliable alternative to traditional voting, which is appealing to many voters and increases turnout.

b. Drop-off boxes used in at least one county – (1 points)

Criterion: Drop-off boxes are made available on Election Day and/or during early voting in at least one county of a given state but are not required (by state law or an announced policy of a state election official) in all counties.

Scoring Justification: The use of ballot drop-off boxes is advantageous particularly for at-risk voters who wish to minimize contact while reliably casting their vote. Making drop-off boxes available in at least one county helps reduce overcrowding at polling places and provides another safe, reliable alternative to voting, but is not as effective as requiring drop-off boxes on the state level to ensure that they are available in all counties.

c. Drop-off boxes not used – (-1 points)

Criterion: Drop-off boxes are not available on Election Day or during early voting in any county of a given state.

Scoring Justification: The use of ballot drop-off boxes is advantageous particularly for at-risk voters who wish to minimize contact while reliably casting their vote. Failing to make drop-off boxes available is detrimental to the administration of safe, accessible elections. Therefore, this results in a 1-point deduction from states' overall scores.

d. Legislation to expand or use drop-off boxes disallowed for general election – (-2 points)

Criterion: Legislative efforts to expand the use of drop-off boxes in states with limited previous use and allow/implement drop-off boxes in states with no previous use were struck down for the general election.

Scoring Justification: By prohibiting local governments from using ballot boxes, states almost assuredly reduce accessibility because these attempts to use ballot boxes are likely driven by local demands. Eliminating this option foreseeably reduces turnout for these governments and harms election accessibility because it hinders absentee ballot submission. Therefore, this results in a 2-point deduction from states' overall scores.

Deadline Adjustments (out of 3)

1. State Extended General Ballot Registration Deadline
   a. Voters had 1 month+ notice before new deadline – (3 points)

Criterion: Voters were notified of general ballot registration deadline extensions at least 1 month prior to the new deadline.

Scoring Justification: Extending deadlines for voter registration allowed greater flexibility for voters to submit necessary materials on time and account for any logistical challenges in the voting process. The earlier voters were notified of deadline extensions, the more they could take advantage of these extensions to navigate changing election circumstances.

       b.   Voters had 1-4 week notice before new deadline – (2 points)

Criterion: Voters were notified of general ballot registration deadline extensions 1-4 weeks prior to the new deadline.

Scoring Justification: Scoring Justification: Extending deadlines for voter registration allowed greater flexibility for voters to submit necessary materials on time and account for any logistical challenges in the voting process. The earlier voters were notified of deadline extensions, the more they could take advantage of these extensions to navigate changing election circumstances.

       c.   Voters had less than 1 week notice before new deadline – (1 points)

Criterion: Voters were notified of general ballot registration deadline extensions less than 1 week prior to the new deadline.

Scoring Justification: Extending deadlines for voter registration allowed greater flexibility for voters to submit necessary materials on time and account for any logistical challenges in the voting process. The earlier voters were notified of deadline extensions, the more they could take advantage of these extensions to navigate changing election circumstances.

2.   State Extended General Ballot Submission Deadline
       a.   Voters had 1 month+ notice before new deadline – (3 points)

Criterion: Voters were notified of general ballot submission deadline extensions at least 1 month prior to the new deadline.

Scoring Justification: Extending deadlines for ballot submission allowed greater flexibility for voters to safely cast their votes and account for any logistical challenges in the voting process. The earlier voters were notified of deadline extensions, the more they could take advantage of these extensions to navigate changing election circumstances.

       b.   Voters had 1-4 week notice before new deadline – (2 points)

Criterion: Voters were notified of general ballot submission deadline extensions 1-4 weeks prior to the new deadline.

Scoring Justification: Extending deadlines for ballot submission allowed greater flexibility for voters to safely cast their votes and account for any logistical challenges in the voting process.

The earlier voters were notified of deadline extensions, the more they could take advantage of these extensions to navigate changing election circumstances.

      c.   Voters had less than 1 week notice before new deadline – (1 point)

Criterion: Voters were notified of general ballot submission deadline extensions less than 1 week prior to the new deadline.

Scoring Justification: Extending deadlines for ballot submission allowed greater flexibility for voters to safely cast their votes and account for any logistical challenges in the voting process. The earlier voters were notified of deadline extensions, the more they could take advantage of these extensions to navigate changing election circumstances.

Polling-Places Adjustments (out of 9)

   1. COVID-19 Safety Adjustments
      a.   Social distancing is enforced – (1 point)

Criterion: Social distancing (staying a minimum of 6 feet apart) is enforced for all voters and poll workers at polling places.

Scoring Justification: Practicing and enforcing social distancing protects both poll workers and voters, thus allowing in-person voting to remain a safe option and increasing accessibility for voters who would otherwise not show up to vote.

      b.   Masks are required – (1 point)

Criterion: Masks are required for all voters and poll workers at polling places.

Scoring Justification: Requiring all voters and poll workers to wear masks protects both poll workers and voters, thus allowing in-person voting to remain a safe option and increasing accessibility for voters who would otherwise not show up to vote.

      c.   Commonly touched surfaces are sanitized – (1 point)

Criterion: High-touch surfaces are sanitized regularly by poll workers.

Scoring Justification: Sanitizing/disinfecting high-touch surfaces protects both poll workers and voters, thus allowing in-person voting to remain a safe option and increasing accessibility for voters who would otherwise not show up to vote.

      d.   PPE required and provided for poll workers – (1 point)

Criterion: There is a state law that requires poll workers to have PPE at polling sites, such as masks, gloves, face shields etc.

Scoring Justification: Requiring that poll workers use PPE, and making this equipment readily available, protects both poll workers and voters, thus allowing in-person voting to remain a safe option and increasing accessibility for voters who would otherwise not show up to vote.

2. Location Adjustments
    a. Increased Polling Locations – (3 points)

Criterion: The number of polling locations in a state is increased for the general election.

Scoring Justification: Increasing the number of polling locations in a state is highly effective in promoting safe, accessible elections by reducing overcrowding at polling places and allowing for better enforcement of social-distancing and safety compliance.

    b. Reduced Polling Locations – (-1 point)

Criterion: The number of polling locations in a state is decreased for the general election.

Scoring Justification: Decreasing the number of polling locations in a state is detrimental to the administration of safe, accessible elections by increasing the risk of overcrowding at polling places and making it more difficult to enforce social-distancing and safety compliance. Therefore, this results in a 3-point deduction from states' overall scores.

    c. Moved Locations – (1 point)

Criterion: A polling location is relocated out of high-risk areas or into areas that are better equipped to facilitate social distancing and safety protocol while voting.

Scoring Justification: While state motivations to relocate polling places may vary, these adjustments are made to reduce COVID-19 transmission vulnerabilities, thus allowing in-person voting to remain a safe option and increasing accessibility for voters who would otherwise not show up to vote.

APPENDIX B: STATE SCORES

State	Polling place score (9 possible)	Drop-Off box score (3 possible)	Deadline extension score (3 possible)	Mail-in score (22 possible)	TOTAL SCORE (37 possible)	GRADE
NJ	3	1	3	18	25	A
HI	4	2	0	15	21	A
WA	1	2	0	18	21	A
UT	2	1	0	18	21	A
CA	1	2	0	17	20	B
NV	1	1	0	18	20	B
CO	1	2	0	15	18	B
OR	1	2	0	15	18	B
MD	3	1	0	13	17	B
OH	3	1	0	13	17	B
MA	1	1	0	15	17	B
DE	0	1	0	16	17	B
MN	2	1	3	10	16	B
RI	3	1	0	12	16	B
MT	0	2	0	14	16	B
VT	0	1	0	15	16	B
NY	4	1	0	10	15	C
IL	1	1	0	13	15	C
MI	3	1	0	10	14	C
ND	1	1	0	12	14	C
ME	0	1	3	9	13	C
DC	2	1	0	10	13	C
NE	2	1	0	10	13	C
NC	3	-1	3	7	12	C
CT	1	1	0	10	12	C
KS	0	1	0	11	12	C
AZ	2	2	0	7	11	C
KY	1	1	0	9	11	C
VA	1	1	0	9	11	C
ID	1	1	0	8	10	D
GA	0	1	0	9	10	D
PA	0	1	0	9	10	D

WY	0	1	0	9	10	D
IA	1	-2	0	11	10	D
WV	0	-1	0	11	10	D
FL	0	1	0	8	9	D
LA	3	1	0	4	8	D
NM	1	2	0	5	8	D
AR	2	1	0	5	8	D
SD	0	1	0	7	8	D
MS	2	-1	3	3	7	D
WI	1	1	0	5	7	D
SC	1	1	0	5	7	D
AK	0	1	0	6	7	D
TX	0	1	0	5	6	D
OK	2	-1	0	5	6	D
AL	2	1	0	2	5	F
IN	-1	-1	0	7	5	F
NH	2	-2	0	4	4	F
TN	-1	-2	0	6	3	F
MO	0	-2	0	0	-2	F

ENDNOTES

[1] Kamarck, E., Ibreak, Y., Powers, A., & Stewart, C. "Voting by mail in a pandemic: A state-by state scorecard," Brookings Institution, December 10, 2020.

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[3] "Changes to election dates, procedures, and administration in response to the coronavirus (COVID-19) pandemic, 2020," Ballotpedia.com, November 19. 2020; "COVID-19," Arizona Secretary of State; "Vote by Mail," Arizona Clean Elections Commission; "COVID-19 Information for Voters and Election Officials," Alaska Division of Elections; "Protecting Election 2020 from Covid-19: A Toolkit for Alabama Activists," Brennan Center for Justice, August 18, 2020; "COVID-19 Resources Related to Voting," Alabama Secretary of State.

[4] "How Election Administrators Can Help Mitigate a Crisis," in *Strengthening Our Elections and Preventing Election Crises: Lessons and Recommendations from the 2020 General Election*, National Task Force on Election Crises, November 19, 2020.

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[6] "COVID-Related Election Litigation Tracker," Healthy Elections Project.

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[8] Ibid.

[9] Ibid.

[10] Jesse Yoder, et al, "How Did Absentee Voting Affect the 2020 U.S. Election?" working paper, Stanford Institute for Economic Policy Research, March 2021.