



August 7, 2020

Dear Governor Murphy and Secretary of State Way:

Thank you for your leadership during this difficult time. Your decision to prioritize voting rights, access to the ballot, and public safety during the July Primary Election led to a largely successful and safe election. We appreciate your commitment to democracy.

We continue to center the voices of and advocate for communities that historically face obstacles to the ballot, including communities of color, the disability community, and New Jersey residents facing extreme hardships as a result of the COVID-19 pandemic.

The League of Women Voters of New Jersey, the New Jersey Institute for Social Justice, and the NAACP New Jersey State Conference are conducting a survey to learn more about voters' experiences with the primary. We will share our findings when the survey closes. However, we understand that the decision regarding the format of the November General Election must be made soon, so we wanted to offer our updated recommendations now.

Please find below recommendations to safeguard against disfranchisement of voters, without posing undue risks to public health and safety. These are similar to the recommendations we offered ahead of the Primary, but include additional updates based on voters' experiences in July.

Voter Registration:

We continue to face several challenges to voter registration. As you know, voter registration rates have plummeted. In addition, the pandemic's economic impact is leading to housing insecurity, as well as temporary living arrangements that necessitate voters to update their registration information. It is imperative that we recognize that the pandemic has had a significant impact on voter registration in our state and prioritize removing barriers that are likely to disfranchise potential voters in November.

- There must be expanded opportunities for people to register to vote and the state should **adopt same-day voter registration, including on Election Day.**
- The "My Voter Information" section of the NJ Division of Elections website should be **updated to provide more detailed information about a voter's registration, including a full street address.** Voters need this information to ensure their voter registration information is up to date.



- New Jersey must have an **accessible online voter registration system** in place by the already extended early September implementation deadline. The state and counties should partner with community organizations to ensure that there is significant voter education about the availability of online voter registration.

Polling Place Recommendations:

We must encourage people who can vote by mail to vote by mail. At the same time, every effort must be made to **maintain in-person voting opportunities to ensure all voters have equal opportunities to cast a ballot.** In Executive Order 144, you correctly noted that “voting-by-mail may have a disproportionate impact on historically disfranchised voters such as disabled voters, low-income voters, voters with unstable housing, limited-English-speaking voters, and voters of color.” Simply put, we must continue to recognize that certain voters will be disfranchised in an all vote-by-mail system if in-person voting options are not also available.

Our recommendations balance public health concerns with encouraging a robust democracy:

- Polling places and equipment must be adequately sanitized and **follow the guidance issued by the Centers for Disease Control and Prevention (CDC)**. Polling places should be set up to maintain “social distancing” protocols.
- Poll workers should be trained in CDC recommendations to ensure their safety as well as the safety of voters. Poll workers should also be provided with personal protective equipment.
- In-person voting should be conducted primarily through **voting machines**.
- **Do not consolidate polling places.** The number of available polling places should remain the same number we have in every general election to prevent crowding and lines at any polling place.
- Polling place location changes that might be necessary to protect vulnerable populations should be determined as early as possible, be ADA compliant, and be located in areas that are easily accessible to historically marginalized communities. Polling place changes must be clearly communicated to the public within three hours of the change before Election Day and within one hour on Election Day. There was significant confusion surrounding polling place locations during the primary election and this must be mitigated.
- Polling places should prepare for the casting of a large number of provisional ballots.



- Work with community groups to **recruit poll workers**, particularly younger poll workers such as college and graduate students.
- **Expand in-person early voting** to help reduce the chances of long lines or crowds during Election Day. In-person early voting should be available for a minimum of 14 days prior to Election Day and must include at least one Saturday and one Sunday. There should be multiple, accessible locations per county and the hours should be longer than just the standard business day.

Vote-by-Mail:

Vote-by-Mail is preferred and should be encouraged. However, it must be easy to obtain and cast a ballot and we must minimize the risk of ballots being rejected.

- **All voters should have ballots mailed to them**, with clear instructions on how to properly fill out their ballot, how to cast it, how to obtain a replacement ballot, how to cure their ballots if necessary, and where they can get help with questions. However, if this is not possible, all voters must be mailed postage-paid applications. Applications must be sent out as soon as possible, and **voters should be able to apply for a vote-by-mail ballot online**.
- All vote-by-mail return envelopes should have **pre-paid postage**.
- Ballot and accompanying material should be sent **in all relevant languages**, as required by the Voting Rights Act.
- Options to request replacement ballots and to return vote-by-mail ballots early in-person should be expanded and follow the same **CDC protocols outlined for polling places** to ensure the safety of the public and election officials.
- Secure ballot drop boxes were trusted, used, and largely successful during the primary election. However, we must make improvements to ensure a successful General Election. **The number of drop-off options and secure ballot drop boxes must be greatly expanded, ideally so that there is at least one per municipality, and multiple locations in more populous municipalities.** Additionally, voters should be permitted to drop off vote-by-mail ballots at polling locations on Election Day and other community locations prior to Election Day.
- Like polling places, these ballot drop-off locations and secure ballot drop box locations should be determined as early as possible, be ADA compliant, and be located in areas that are easily accessible to historically marginalized populations. **Drop box locations should not be located at or near any law enforcement agency.**



- Drop boxes must be available as soon as voters begin to receive their vote-by-mail ballots (45 days before Election Day).
- Drop box locations should be listed on the New Jersey Division of Elections website, county websites, and municipal websites.
- The decision to allow for ballots postmarked by Election Day, but received 7 days after the Primary Election was well-received and ensured that a large number of ballots were not rejected. **Ideally, we should allow ballots postmarked by Election Day and received 10 days following the General Election to be counted.** We understand there are deadlines that may not be flexible; however we recommend building in as much time as possible to count votes that are postmarked by Election Day.
- **Tracking procedures** for voters to track their mail-in ballots – to find out if it was counted, and if it was rejected, why it was rejected, and how to correct issues or cure their ballot – should be clearly communicated and easily accessible.
- Voters should have **easy online access** to view if they are on a list to automatically receive vote-by-mail ballots for future elections.

Voter Education and Combating Misinformation:

- **Early, consistent, and clear communication** must be prioritized as these necessary changes are implemented. Election officials must combat voter confusion and disinformation.
- The Secretary of State's **Division of Elections website, like the Department of Health's website, should have clear, accessible information**, and as we get closer to Election Day, should be updated regularly.
- **All election related policies should be consistent across the state.** This includes information provided to the public, the format of the information, and how elections are conducted. While our elections are run at a county level, the same laws apply statewide. When counties provide different levels of information and/or have different procedures, it often leads to voter confusion.
- Last December, the Legislature passed and the Governor signed a law restoring voting rights to all people on parole and probation. This was a significant step forward in our democracy. Unfortunately, the law went into effect at the same time COVID-19 hit our state, which has posed major challenges in notifying and registering newly enfranchised people. The state, working with counties, municipalities, and community groups,



should **launch an effort to notify everyone on parole and probation about their right to vote and get them registered.**

Voter Protection:

- While we hope these recommendations prevent disfranchisement as much as possible, we still anticipate that voters will need access to Election Day judges in order to argue for their voting rights. **Election Day judges must be readily available** to determine eligibility.
- Voters must receive notice if their vote-by-mail ballots have been rejected because of a signature match, missing signature, or other technical issue. **Voters must be afforded an opportunity to correct issues or otherwise “cure” their ballot** to ensure their ballot is counted. The voter must also be provided ways to correct vote-by-mail issues that either does not involve or that limit in-person interaction.

We understand the significant challenges ahead and the need for creative solutions. We thank you for engaging our organizations as we work together to ensure an inclusive and accessible General Election for all New Jersey voters.