



April 22, 2020

DC Board of Elections
1015 Half Street, SE, Suite 750
Washington, DC 20003

Dear Chair Bennett and Members of the Board of Elections:

We are candidates running for DC Council in Ward 2, Ward 4, and At-Large. Our campaigns and supporters have worked tirelessly to engage voters for the June 2 primary, the June 16 Special Election, and beyond. As DC residents remain at home amid COVID-19, we write for more information about how the Board of Elections (the Board) will fulfill its ambitious commitments to educate voters about voting options so that our campaigns can be your partners in ensuring DC residents can vote safely. Because the primary is now less than six weeks away — and early voting and the deadlines to register, change parties, or request an absentee ballot are approaching even more quickly — we are deeply concerned that serious questions remain unanswered about the Board's plans. Failure to educate voters about alternatives to in-person election day voting will present DC voters with an untenable choice — surrender their right to vote or risk serious health consequences. We hope to work with you so no voter is forced to make such a choice.

The health and safety of District residents must be our top priority as we plan for the upcoming elections. Voters in the District of Columbia should not be forced to show up in person amid dangerous conditions in order to exercise their right to vote as voters in Wisconsin were on April 7, 2020. Many experts have noted that the best way to avoid such a situation is to mail a ballot to all registered voters proactively — as our neighboring jurisdiction, Maryland, plans to do. We understand that the Board does not believe doing so is feasible for the June 2 Democratic primary, but hope that the Board will immediately begin planning to do so for the November General Election.

The Board's effort to date to mitigate the dangers of voting in person during the COVID-19 crisis largely entail encouraging all voters to request absentee ballots under existing request procedures, but so far those efforts appear to be inadequate to secure broad participation. Even as the May 26th deadline to request a ballot approaches quickly, many voters do not know they have to request a no-fault absentee ballot, especially voters in vulnerable or hard to reach communities who do not avidly consume social media, television, or newspapers about the latest developments in local election administration. Yet, the Board does not plan to mail its

Voter Guide — one of its primary tools for communicating directly about voting options — until just a short period before that deadline to request a ballot. The Board has also promised a wide-ranging public engagement campaign, but that campaign appears not to have begun in earnest. As a result, many voters — especially new voters or voters who have moved since the last election — may miss the deadline to request an absentee ballot and be forced to vote in-person amid the COVID-19 public health emergency, or will not vote at all.

A poorly executed or low turnout election is not inevitable, however. We hope the Board will provide public and comprehensive answers to the following questions to reassure the voting public that we can and will have a safe and fair election on June 2nd and beyond — with as broad of participation as possible.

In light of these concerns we are seeking answers to the following:

Public Information Campaign

- When is the Board beginning its large scale public information campaign urging voters to request an absentee ballot?
 - What specifically will that public information campaign entail?
 - What is the budget for this campaign and how is it being allocated?
 - What channels will be included?
 - How does the Board plan to reach all populations, including non-English speakers and those who do not regularly consume social media, local television news, or newspapers — such as radio, flyers, and coordinating with grocery stores and direct service organizations?
 - Will the public information campaign include information about in-person voting for voters who are not able to request absentee ballots?
 - If so, will the public information campaign make clear that voters can vote at any Voting Center, including those that are not in their ward?

Absentee Ballot Requests

- We have already received reports from users of mobile devices other than iPhones that they cannot use what is widely acknowledged as the most user-friendly absentee ballot request option. Will the Board make the Vote4DC app available to all smartphones?
- Will the Board update its website to feature a user-friendly absentee ballot request process similar to that available on the Vote4DC iPhone app? The current website is cumbersome, confusing, and appears to require the submission of a printed and signed PDF file, which will likely dissuade many voters from completing the absentee ballot request process.
- Will the Board allow voters to register to vote and request an absentee ballot in one user-friendly step, similar to in-person same-day voter registration?
- Many voters recognize the imperative to vote absentee this spring and summer but hope to vote in person in the November general election. Will the Board update its forms and websites to enable voters to request absentee ballots for both the Ward 2 Primary

Election and Special Election in one step — without having to also request an absentee ballot for the November General Election?

- We have received reports of voters requesting an absentee ballot without receiving a receipt or confirmation of their request.
 - Will the Board be able to confirm receipt of all absentee ballot requests?
 - What other efforts will the Board undertake to ensure voters are not falling through the cracks of its ballot request systems?
- Will the Board accept email absentee ballot requests if they include all relevant information?
 - If so, to what email address should voters submit such a request?
- What is the time frame that printed ballots will be mailed after a voter has requested it?
- Will the Board guarantee that all absentee ballots requested by May 26th will arrive in voters' mailboxes at least 48 hours before Election Day?
- Will the Board allow a voter who requested but did not return an absentee ballot to vote in-person?
- Will the Board update absentee ballot request, distribution, and return data in real-time for campaign committees and the public?
- Will the Board clarify that absentee ballot requests do not require a signature on its website?

In-Person Voting

- How will poll watchers be able to observe the election safely?
 - Will there be new processes put in place in light of the COVID-19 public health emergency? If so, what are they, when will they be publicized, and how will they be communicated?
- In order to maintain public health and safety, will all campaigning at or near voting centers be prohibited?
- What is the Board's plan to implement social distancing measures at in-person voting locations and keep voters and poll workers safe?
 - How will these measures be communicated to voters who are not able to request absentee ballots but are concerned about the safety of in-person voting?

General

- To date, we have not received timely, written responses to these kinds of questions from the Board. Instead, we occasionally have seen public announcements or Twitter posts days or weeks later. Will the Board provide timely, written responses to good faith questions and concerns raised by campaign committees? If so, what is the best process for relaying these questions and concerns?

We understand that this is a difficult time for the District and the country, and we deeply appreciate the public service of the Board and its staff during these very difficult circumstances. Our sole focus is working together to ensure the District can hold a safe and fair election for the sake of all its residents.

Thank you for your continued service and we look forward to your response. We have provided a copy of this letter to Councilmember Charles Allen, Chair of the Committee on the Judiciary and Public Safety, given his active role in these issues.

We hope you, your staff, and your families continue to stay safe and healthy.

Sincerely,

Jordan Grossman

Candidate for DC Council
Ward 2

Janeese Lewis George

Candidate for DC Council
Ward 4

Ed Lazere

Candidate for DC Council
At-Large

CC: Charles Allen, Chair, DC Council Committee on the Judiciary and Public Safety

Terri D. Stroud, General Counsel, DC Board of Elections