



**Testimony of Sherrilyn Ifill  
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**Before the United States House of Representatives  
Committee on House Administration  
Subcommittee on Elections**

**Hearing on Impact of COVID-19  
on Voting Rights and Election Administration:  
Ensuring Safe and Fair Elections**

**June 4, 2020**

Good morning, Chairwoman Fudge, Ranking Member Davis and members of the Subcommittee. My name is Sherrilyn Ifill, and I am the President and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (“LDF”). Thank you for the opportunity to testify this morning regarding COVID-19’s impact on voting rights and election administration.

LDF was founded in 1940 by Thurgood Marshall. It has been an entirely separate organization from the NAACP since 1957. Through litigation, advocacy, and public education, LDF seeks structural changes to expand democracy, eliminate disparities, and achieve racial justice in a society that fulfills the promise of equality for all Americans. Beginning with *Smith v. Allwright*,<sup>1</sup> our successful Supreme Court case challenging the use of whites-only primary elections in 1944, LDF has been fighting to overcome obstacles to ensure the full, equal, and active participation of black voters. From that era to the present, LDF has been involved struggle to secure, protect, and advance voting rights for Black voters and other communities of color. LDF has always been a pioneering force in our nation’s quest for greater equality and will continue to advocate on behalf of African Americans, both in and outside of the courts, until equal justice for all Americans is attained.

### **Impact of COVID-19**

The COVID-19 pandemic has led to unprecedented crises and loss throughout the country. Recent reports indicate that there have been over 1.8 million confirmed cases of COVID-19 in the United States and more than 105,000 deaths.<sup>2</sup> The country faces not only a public health crisis, but also an economic crisis comparable only to the Great Depression in severity.<sup>3</sup> More than 40 million people have filed for unemployment since the start of the pandemic.<sup>4</sup> The COVID-19 pandemic is projected to significantly alter the fabric of American life: entire industries have been razed, small businesses are struggling and nearly 27 million people could lose employer-sponsored health insurance at this critical time.<sup>5</sup>

The pandemic is disproportionately impacting black people.<sup>6</sup> The Centers for Disease Control and Prevention (“CDC”) reports that, while black people are only 12% of the U.S.

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<sup>1</sup> 321 U.S. 629 (1944).

<sup>2</sup> *Coronavirus in the U.S.: Latest Map and Case Count*, New York Times (last visited Jun. 2, 2020 8:50am) <https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html>.

<sup>3</sup> Nelson D. Schwartz, Ben Casselman and Ella Koeze, *How Bad Is Unemployment? ‘Literally Off the Charts’*, New York Times (May 8, 2020) <https://www.nytimes.com/interactive/2020/05/08/business/economy/april-jobs-report.html>.

<sup>4</sup> *U.S. Jobless Claims Pass 40 Million: Live Business Updates*, New York Times (May 28, 2020 last visited Jun. 2, 2020) <https://www.nytimes.com/2020/05/28/business/unemployment-stock-market-coronavirus.html>.

<sup>5</sup> Rachel Garfield, Gary Claxton, et. al., *Eligibility Loss for ACA Health Care Coverage Following Jobs Loss*, Kaiser Family Foundation (May 13, 2020) <https://www.kff.org/coronavirus-covid-19/issue-brief/eligibility-for-aca-health-coverage-following-job-loss/>.

<sup>6</sup> Edwin Ross & Sinduja Rangarajan, *COVID-19 Has Infected and Killed Black People At Alarming Rates. This Data Proves It.*, Mother Jones (Apr. 17, 2020) <https://www.motherjones.com/coronavirus-updates/2020/04/covid-19-has-infected-and-killed-black-people-at-alarming-rates-this-data-proves-it/>

population, we constitute 22.9% of all U.S. coronavirus deaths.<sup>7</sup> In Chicago, black people constitute 30% of the population, but nearly 60% of COVID-related deaths.<sup>8</sup> In Wisconsin, black people constitute 6% of the population, but nearly 40% of COVID-related deaths.<sup>9</sup> Black people are also experiencing a tremendous economic loss. It is estimated that 45% of Black workers have lost their jobs or had their hours cut due to the COVID-19 pandemic, compared to 31% of White workers.<sup>10</sup>

Unfortunately, this pandemic is not only a public health emergency and economic crisis, it is also a threat to the very foundation of our democracy: free and fair elections. I will never—we must never—forget the images we saw in Wisconsin in April: thousands of mask-wearing Americans standing in staggered lines<sup>11</sup> extended over city blocks as they waited to vote amidst the most dangerous pandemic this country has faced in a century. None of them could be certain they would avoid contracting the deadly coronavirus and carrying it home to their loved ones; yet they stood in line for hours to exercise the fundamental right that the Supreme Court described 134 years ago as “preservative of all rights.”<sup>12</sup>

It has been reported that at least 71 people contracted COVID-19 after voting in person or working at the polls during the Wisconsin election.<sup>13</sup> At least one study concluded that those counties with “more in-person voters per voting location had significantly higher rates of COVID-19 transmission after the election than counties with lower voter density.”<sup>14</sup> It was shameful and a disgrace that we consigned people to have to choose between their health and their right as citizens to participate and vote. But I also am compelled to see the powerful nobility of those people standing staggered and separated from each other as best they could, for hours on end, determined to participate in the political process. The choice facing black voters was especially

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<sup>7</sup> *Provisional Death Counts for Coronavirus Disease (COVID-19): Data Updates by Select Demographic and Geographic Characteristics*, National Center for Health Statistics, Centers for Disease Control and Prevention, (last updated May 28, 2020, last visited Jun. 2, 2020) [https://www.cdc.gov/nchs/nvss/vsrr/covid\\_weekly/](https://www.cdc.gov/nchs/nvss/vsrr/covid_weekly/).

<sup>8</sup> Eric Lutz, *Chicago: black people are 30% of its population but 60% of its Covid-19 deaths*, Guardian (May 24, 2020) <https://www.theguardian.com/world/2020/may/24/chicago-black-coronavirus-fatalities-us>.

<sup>9</sup> Zeehan Aleem, *New CDC Data Shows Covid-19 is Affecting African Americans at Exceptionally High Rates*, Vox (Apr. 18, 2020) <https://www.vox.com/coronavirus-covid19/2020/4/18/21226225/coronavirus-black-cdc-infection>;

<sup>10</sup> Danielle Kurtzleben, *Job Losses Higher Among People of Color During Coronavirus Pandemic*, National Public Radio (Apr. 22, 2020)

<https://www.npr.org/2020/04/22/840276956/minorities-often-work-these-jobs-they-were-among-first-to-go-in-coronavirus-layo>

<sup>11</sup> Benajimn Swasey & Alana Wise, *Wisconsin Vote Ends As Trump Blames Governor For Long Lines*, NPR (Apr. 7, 2020) <https://www.npr.org/2020/04/07/828835153/long-lines-masks-and-plexiglas-barriers-greet-wisconsin-voters-at-polls>.

<sup>12</sup> *Yick Wo v. Hopkins*, 118 U.S. 356, 370 (1886).

<sup>13</sup> David Wahlberg, *71 People Who Went to the Polls on April 7 Got COVID-19; Tie to Election Uncertain*, Wisconsin State Journal (May 16, 2020) [https://madison.com/wsj/news/local/health-med-fit/71-people-who-went-to-the-polls-on-april-7-got-covid-19-tie-to/article\\_ef5ab183-8e29-579a-a52b-1de069c320c7.html](https://madison.com/wsj/news/local/health-med-fit/71-people-who-went-to-the-polls-on-april-7-got-covid-19-tie-to/article_ef5ab183-8e29-579a-a52b-1de069c320c7.html).

<sup>14</sup> Chad D. Cotti, Bryan Engelhardt, et. al., *The Relationship between In-Person Voting, Consolidated Polling Locations, and Absentee Voting on COVID-19: Evidence from the Wisconsin Primary* (May, 10, 2020). Available at SSRN: <https://ssrn.com/abstract=3597233>.

agonizing because of the unique history of their struggle for full enfranchisement.<sup>15</sup> Death has far too often been the consequence for black Americans who insisted on exercising their full rights as American citizens by voting. Indeed, for the forebears of many black voters standing in those lines in Wisconsin, attempting to vote mere decades ago in countless instances meant a confrontation with death in counties and cities across the South. Given the staggering rate of transmission, infection, and death, related to COVID-19, it cannot be overemphasized that these determined and noble voters in Wisconsin also made a life-risking choice.

I salute every voter in Wisconsin who stood in line for hours, risking it all to stand as full American citizens and cast a ballot. Each one of them emerges from this with a nobility and integrity that ultimately will be all that can save this democracy from a further slide into ignominy. That has to be the power and the responsibility that fuels us and this Congress to protect the right to vote.

Congress cannot be so reckless and negligent as to allow a situation like Wisconsin to happen again. We must learn from elections in the United States and around the world. As we prepare for approaching elections, it is incumbent upon this body to respond to the needs of its constituents. There is no room for partisanship when it comes to protecting the most basic aspect of our democracy. To ensure the stability and endurance of democracy in this country, Congress must take immediate action to adopt a number of measures addressing the most basic premise: that voting should not require any citizen to take their life into their hands.

### **Congress Must Immediately Respond to the Threat the Pandemic Poses to Elections**

The devastating impact of the COVID-19 pandemic, and its disproportionate impact on Black voters, requires that Congress implement responsive measures for election administration and provide the necessary funding and resources to ensure that every eligible American can register and vote, that every ballot cast by an eligible voter is counted, that each and every election is secure, safe, and accessible.

While alternative methods to in-person voting are warranted and must be provided, these measures cannot replace, or come at the expense, of safe, accessible, and secure in-person voting. Congress must ensure a both/and strategy for voting in this pandemic. It must guarantee the voters have the option of voting by mail *and* safe in person voting. This is also consistent with the CDC's guidance to prevent the spread of the coronavirus during elections.<sup>16</sup>

It is essential that a wide range of options be made available so that citizens may practice safe voting throughout the duration of this pandemic. No one should have to jeopardize their health in order to exercise the full, fair, and free exercise of their franchise. Congress must

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<sup>15</sup> Jocelyn Stewart, *People Died So I Could Vote*, Time (Sep. 23, 2014) <https://time.com/3423102/people-died-so-i-could-vote/>.

<sup>16</sup> *Recommendations for Election Polling Locations*, Centers for Disease Control and Prevention (Updated Mar. 27, 2020) <https://www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html>

approach this issue with a thorough, urgent and unrelenting determination to protect the right to vote for all eligible voters.

### **Vote by Mail**

More people are voting by mail in an effort to protect themselves from contracting or transmitting the virus. Indeed, the CDC encourages voters to “use voting methods that minimize direct contact with other people.”<sup>17</sup> In the interest of public health and to ensure the veracity of free and fair democratic elections, Congress must ensure that there are no barriers which prevent, impede or make burdensome a voter’s ability to vote by mail. Mail-in ballot options should be made available to all registered voters not just those on absentee voter lists. Currently, only 34 states and the District of Columbia offer no-excuse absentee voting.<sup>18</sup> This option must be expanded to all states to allow voters to safely exercise their right to vote without further exposing themselves to the deadly coronavirus.

Options for requesting, receiving, and returning mail-in ballots should be expanded, while maintaining the security of the voting system. States should offer multiple methods of requesting mail-in ballots, including online, in person, by phone, and by mail. All voters should have ballots mailed to them and be provided with a list of options as to how to cast their completed ballots, including pre-paid postage and self-sealing envelopes for mail return. Secure options for returning ballots should be expanded and deadlines for mail-in ballots to be requested and returned should be relaxed. Additionally, states must allow voters – particularly people with disabilities, illness, or language assistance needs – to obtain assistance completing and submitting ballots from individuals they designate.

### **Safe in Person Voting**

Congress must also provide guidelines, resources and necessary equipment to guarantee that all eligible voters are able to safely and efficiently exercise their fundamental right through in person voting. Many voters prefer to vote in person,<sup>19</sup> or are not able to vote by mail.<sup>20</sup> Indeed, many eligible voters, particularly Native Americans<sup>21</sup> and those living in rural areas, do not have access to reliable mail delivery or do not have conventional mailing addresses for ballot delivery.

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<sup>17</sup> Id.

<sup>18</sup> *VOPP: Table 1: States with No-Excuse Absentee Voting*, National Conference of State Legislatures, National Conference of State Legislatures (May 1, 2020) <https://www.ncsl.org/research/elections-and-campaigns/vopp-table-1-states-with-no-excuse-absentee-voting.aspx>.

<sup>19</sup> Abby Phillips, *Coronavirus Threatens a Guarded Tradition for Many Black Americans: Voting in Person*, CNN (May 9, 2020) <https://www.cnn.com/2020/05/09/politics/black-voters-mail-in-voting/index.html>;

<sup>20</sup> Danielle Root, Danyelle Solomon, et. al, *In Expanding Vote by Mail, States Must Maintain In-Person Voting Options During the Coronavirus Pandemic*, Center for American Progress (Apr. 20, 2020) <https://www.americanprogress.org/issues/democracy/news/2020/04/20/483438/expanding-vote-mail-states-must-maintain-person-voting-options-coronavirus-pandemic/>.

<sup>21</sup> Matt Vasilogambros, *For Some Native Americans, No Home Address Might Mean No Voting*, Pew Charitable Trusts (Oct. 4, 2019) <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2019/10/04/for-some-native-americans-no-home-address-might-mean-no-voting>.

These voters, and all voters who choose to vote in-person, will need access to safe and secure polling sites for all elections held throughout the duration of this pandemic. Moreover, ensuring access to safe in-person polling sites is a critical fail-safe should voters not receive mail or absentee ballots in time or should any other issue with voting-by-mail arise.

To ensure the safety of individuals voting in person, poll workers and election officials, Congress must take the following actions:

**Expand voter registration options including Online Voter Registration (“OVR”) and same-day voter registration.**

Stay at home or shelter in place orders issued in response to the coronavirus in order to “flatten the curve” and save lives make it difficult, if not impossible for eligible voters to access government offices that provide voter registration services, and impede the ability of election officials to process registration applications. States should extend voter registration deadlines and allow for same-day registration to account for the lost time and inability of eligible voters to register during stay at home and shelter in place orders. Furthermore, to preempt a decline in registration as a result of the conditions of the pandemic, states and jurisdictions should adopt or expand access to OVR and same-day voter registration to allow voters maximum flexibility and opportunity to register and exercise their right to vote. Thirty-nine states and the District of Columbia<sup>22</sup> already offer online voter registration, and twenty-one states and the District of Columbia offer same-day voter registration<sup>23</sup> Congress must require the adoption of both policies for all states.

**Expand the early voting period.**

Crowds and exposure time are key determinants of the likelihood of contracting COVID-19.<sup>24</sup> To better address and prepare for crowds or long lines at in-person polling sites, Congress must extend the early voting period for all states. Allowing voters to vote over an extended period of time could reduce crowd size around polling stations and therefore reduce the risk of COVID transmittal.

**Increase availability of curbside voting**

To protect and account for those who do not or cannot take advantage of mail-in-voting, but are unable to enter a polling site—which may be momentarily overcrowded, contain people who refuse to comply with social distancing guidelines or be inaccessible—Congress must make the option of curbside voting more readily available.

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<sup>22</sup>*Online Voter Registration*, National Conference of State Legislatures (Feb. 3, 2020) <https://www.ncsl.org/research/elections-and-campaigns/electronic-or-online-voter-registration.aspx>.

<sup>23</sup> *Same Day Voter Registration*, National Conference of State Legislatures (Jun. 28, 2019) <https://www.ncsl.org/research/elections-and-campaigns/same-day-registration.aspx>.

<sup>24</sup> Centers for Disease Control and Prevention *supra* note 16.

Each of these recommendations is also consistent with the guidance provided by the CDC to Election Officials to prevent the spread of the Coronavirus.<sup>25</sup>

### **Community Education**

There is a critical need for robust community education to ensure that people are fully informed about the variety of voting options as well as the details regarding how each option works. For many people, this will be their first time voting by mail and for most voters, this will be the first time voting in a pandemic. Voters must be aware of and understand each step of the voting-by-mail process so that people feel comfortable using that option should they choose to do so. Furthermore, people opting to vote in person must be made aware of updated polling site information and assured of safety measures implemented so that they are not be disenfranchised by lack of information or fear of contracting the virus. Congress should encourage and support states and jurisdictions to conduct public education campaigns and ensure that all election websites are up-to-date-, accurate and fully accessible.

These necessary changes and modifications to voting practices and election administration, coupled with the fear and confusion surrounding the COVID-19 pandemic, create circumstances ripe for disinformation and manipulation which must also be addressed by Congress. Public education campaigns therefore must also plan to combat such disinformation.

### **LDF's work during the pandemic**

LDF remains committed to ensuring that people are able to safely, and without impediment, exercise their right to vote. We continue our long history of working to ensure that this cornerstone of democracy is preserved through many strategies including litigation. In recent weeks, LDF has been involved in voting rights litigation in Texas, Louisiana, South Carolina, and Alabama.

In Texas, LDF filed an emergency amicus brief opposing a stay sought by Texas officials that would block a recent preliminary injunction allowing Texans to vote by mail in order to minimize their exposure to COVID-19.<sup>26</sup> The stay sought would also disproportionately harm Black and Latinx voters, who are more susceptible to serious complications from COVID-19 due to health care disparities and other inequalities stemming from racial discrimination.

In Louisiana, LDF filed a lawsuit in federal court<sup>27</sup> challenging voting requirements imposed by the state, including restrictions on the use of absentee mail-in ballots, which pose serious health risks to voters amid the COVID-19 pandemic. The lawsuit was filed on behalf of the

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<sup>25</sup> Id. (Copy attached)

<sup>26</sup> <https://www.naacpldf.org/press-release/ldf-files-emergency-amicus-brief-to-protect-texas-voters-at-risk-amid-covid-19-pandemic/>

<sup>27</sup> *Power Coalition for Equity and Justice v. Edwards*, No. 3:20-cv-00283-BAJ-EWD, (M.D. La., May. 7, 2020) [https://www.naacpldf.org/wp-content/uploads/FILED-COMPLAINT\\_Power-Coalition-v.-Edwards-20-cv-00283\\_20200507.pdf](https://www.naacpldf.org/wp-content/uploads/FILED-COMPLAINT_Power-Coalition-v.-Edwards-20-cv-00283_20200507.pdf).



Power Coalition for Equity and Justice, the Louisiana State Conference of the NAACP, and four individual voters. Currently, voters in Louisiana must identify an “excuse” to be eligible to vote by absentee ballot. The Secretary of State has proposed a plan for the upcoming primary and municipal elections that would allow voters with specific underlying medical conditions or who are experiencing symptoms of COVID-19 to request an absentee ballot, but does not include any accommodation that would permit all eligible voters who have concerns about contracting or transmitting COVID-19 to receive an absentee ballot. This excludes a significant number of Louisiana voters, including those who may be asymptomatic carriers or caretakers who may be healthy but are justifiably concerned for their health or the health of their family and community. Louisiana also requires that absentee ballots be signed by a witness to confirm that the identity of the voter matches the ballot. This requirement endangers vulnerable voters by forcing them to leave their home or invite others into their home, increasing the likelihood of infection. Black people account for nearly 54% of COVID-related deaths in Louisiana,<sup>28</sup> despite representing only 32.7% of the population.<sup>29</sup>

In South Carolina, where Black people account for 50% of COVID-related deaths<sup>30</sup> and only 27% of the population,<sup>31</sup> LDF and our partners secured the temporary suspension of the witness signature requirement for absentee ballots<sup>32</sup> removing a needless barrier that required people to violate social distancing protocols to vote. The victory ensures that everyone can vote in the state’s June elections without the fear of endangering their health. If allowed to stay in effect, the state’s requirement could have disenfranchised tens of thousands of eligible voters who could not risk contact with other individuals to vote in person or obtain a witness signature on their absentee ballot. The South Carolina district court’s decision protects the safety and well-being of those voters who are most at risk from COVID-19.

Lastly, in Alabama, where Black people account for nearly 44% of COVID-related deaths,<sup>33</sup> despite being only 26.8% of the population,<sup>34</sup> LDF and our partners, filed a federal lawsuit against Alabama Governor Kay Ivey, Secretary of State John Merrill, and others<sup>35</sup> regarding the state’s lack of safe and accessible voting processes amid the COVID-19 pandemic. The lawsuit was filed on behalf of People First of Alabama, Greater Birmingham

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<sup>28</sup> *Additional Data on COVID-19 Deaths in Louisiana*, Louisiana Department of Health (updated Jun. 1, 2020) <http://ldh.la.gov/coronavirus/>

<sup>29</sup> *Quick Facts: Louisiana*, U.S. Census Bureau, (last visited Jun. 3, 2020) <https://www.census.gov/quickfacts/LA>

<sup>30</sup> *SC Demographic Data (COVID-19)*, South Carolina Department of Health and Environmental Control (last visited Jun. 3, 2020) <https://www.scdhec.gov/infectious-diseases/viruses/coronavirus-disease-2019-covid-19/sc-demographic-data-covid-19>

<sup>31</sup> *Quick Facts: South Carolina*, U.S. Census Bureau (last visited Jun. 3, 2020)

<https://www.census.gov/quickfacts/SC>.

<sup>32</sup> *Thomas v. Andino*, No.: 3:20-cv-01552-JMC, (D. S.C. May. 25, 2020) <https://www.naacpldf.org/wp-content/uploads/order-south-carolina-pi-granted-1.pdf>.

<sup>33</sup> *Characteristics of Laboratory Confirmed Cases of COVID-19*, Alabama Public Health (updated Jun. 1, 2020) <https://www.alabamapublichealth.gov/covid19/assets/cov-al-cases-060120.pdf>

<sup>34</sup> *Quick Facts: Alabama*, U.S. Census Bureau (last visited Jun. 3, 2020) <https://www.census.gov/quickfacts/AL>.

<sup>35</sup> <https://www.naacpldf.org/press-release/ldf-splc-and-adap-file-federal-lawsuit-challenging-alabamas-lack-of-safe-and-accessible-voting-during-covid-19-pandemic/>



Ministries, the Alabama State Conference of the NAACP, and four individual voters with medical conditions that make them especially vulnerable to death or serious illness from COVID-19. The lawsuit requests that the court instruct state officials to make absentee and in-person voting more accessible to protect the health and safety of Alabama voters.

### **The Need for Congressional Action is Urgent**

The importance of the vote cannot be overstated. Each and every election provides an opportunity for eligible voters to engage with and influence policy, to elect members to our government to represent them and their concerns, and to participate in the political process enshrined in the foundation of our nation. For black and minority communities which have for so long been denied the right to vote, the right to free and fair elections has an added significance. In local elections and presidential elections alike, each vote is sacred. The COVID-19 pandemic threatens to suppress the vote in numerous upcoming elections throughout the country, not just the presidential election in November. For example, eight states—Alabama, Arkansas, Georgia, Louisiana, Ohio, South Carolina, Texas, and Wisconsin—have a combined 17 upcoming statewide elections and countless upcoming county, local and municipal elections. These eight states will vote on over 2,843 candidates for federal, state and local office.

Alabama will hold two statewide elections, at least two special district elections, and various municipal elections in the remaining months of this year.<sup>36</sup> Alabama voters will vote on and select 21 candidates for statewide office and at least four candidates for county office.<sup>37</sup> They will vote for a President of the United States, a U.S. senator, and seven U.S. congressmen, state delegates to the national convention, four state board of education seats, two state supreme court judges, two judges for the court of criminal appeals, two judges for the court of civil appeals, and a public service commissioner.

Arkansas will hold one statewide election and at least two municipal and county elections in the remainder of 2020.<sup>38</sup> Voters in Arkansas will vote on and select 128 candidates for state or federal office. They will vote for a President the United States, one U.S. senator, four U.S. congressmen, 17 state senators, 100 state representatives<sup>39</sup>, one state supreme court seat, and four state courts of appeals.<sup>40</sup>

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<sup>36</sup> Alabama will hold a primary run-off election, a special primary election for House District 49, a special primary runoff election for House District 49 (if necessary), a statewide general election, a general election for House District 49 and various municipal elections. *Upcoming Elections*, Alabama Secretary of State (last visited May 29, 2020) <https://www.sos.alabama.gov/alabama-votes/voter/upcoming-elections>.

<sup>37</sup> *Upcoming Elections: Alabama Election Cycle Calendar*, Alabama Secretary of State (last visited May 29, 2020) <https://www.sos.alabama.gov/sites/default/files/voter-pdfs/election-calendar/Alabama%20Election%20Chart%202016-2030.pdf>.

<sup>38</sup> *2020 Election Dates*, Arkansas Office of the Secretary of State (last visited May 29, 2020) [https://www.sos.arkansas.gov/uploads/2020\\_Election\\_Calendar\\_7-29-19.pdf](https://www.sos.arkansas.gov/uploads/2020_Election_Calendar_7-29-19.pdf).

<sup>39</sup> *Arkansas 2020 Candidates for Federal and State Elections*, Talk Business & Politics (last visited May 29, 2020) <https://talkbusiness.net/arkansas-2020-candidates-for-federal-and-state-elections/>.

<sup>40</sup> *State Judicial Elections 2020*, Ballotpedia (last visited May 29, 2020) [https://ballotpedia.org/State\\_judicial\\_elections,\\_2020](https://ballotpedia.org/State_judicial_elections,_2020).

Georgia will hold four statewide elections in the remainder 2020<sup>41</sup> and will vote for 439 candidates for federal, state and local office. They will cast votes for a President of the United States, two U.S. senators, 14 U.S. congressmen, 56 state senators, 180 state representatives, two public service commissioners, two state supreme court judges, six courts of appeals judges, district attorneys for 39 of the 49 circuits, and 137 of 213 superior court judges.<sup>42</sup>

Louisiana will hold three statewide elections and a municipal general election over the remaining months of the year.<sup>43</sup> Louisiana voters will elect 1,504 candidates to municipal, state and federal office. They will vote for President of the United States, eight presidential electors, one U.S. senator, six U.S. congressmen, 218 district judges, 42 district attorneys, one parish president and twelve parish councilors, seven school board members 387 justices of the peace, 388 constables, 419 municipal offices,<sup>44</sup> two supreme court judges and twelve intermediate appellate court judges.<sup>45</sup>

Ohio will hold two statewide elections in the remainder of 2020.<sup>46</sup> Ohio will vote on 155 candidates for state and federal office. They will vote for a President of the United States, 16 U.S. congressmen,<sup>47</sup> 16 state senators, 99 states representatives,<sup>48</sup> two state supreme court judges and 21 state courts of appeals judges.<sup>49</sup>

South Carolina will hold three statewide elections over the remaining months of the year.<sup>50</sup> They will elect 179 state and federal officials. South Carolinians will vote for a President of the United States, one U.S. senator, seven U.S. congressmen, 46 state senators, 124 state representatives.<sup>51</sup>

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<sup>41</sup> *2020 State Elections and Voter Registration Calendar*, Georgia Office of the Secretary of State (last visited May 29, 2020) <https://sos.ga.gov/admin/files/2020%20Revised%20Short%20Calendar.pdf>.

<sup>42</sup> *2020 Federal and State Offices to be Filled*, Georgia Office of the Secretary of State (revised Feb 24, 2020, last visited May 29, 2020) [https://sos.ga.gov/admin/files/2020\\_Federal\\_And\\_State\\_Offices\\_4.pdf](https://sos.ga.gov/admin/files/2020_Federal_And_State_Offices_4.pdf).

<sup>43</sup> *2020 Elections*, Louisiana Office of the Secretary of State (last visited May 29, 2020) <https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/ElectionsCalendar2020.pdf>.

<sup>44</sup> *Congressional/ Presidential Election: Offices Regularly Scheduled to be Filled*, Louisiana office of the Secretary of State, (last visited May 29, 2020) <https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/CongressionalRegularScheduleOffices.pdf>.

<sup>45</sup> Ballotpedia *supra* note 30.

<sup>46</sup> *2020 Elections Calendar*, Ohio Office of the Secretary of State (last visited May 29, 2020) <https://www.sos.state.oh.us/publications/2020-elections-calendar/>.

<sup>47</sup> *Ohio Representatives*, GovTrak (last visited May 29, 2020) <https://www.govtrack.us/congress/members/OH#representatives>.

<sup>48</sup> Douglas Kronaizl, *One incumbent defeated in Ohio's 2020 state legislative primaries*, Ballotpedia May 5, 2020) <https://news.ballotpedia.org/2020/05/05/one-incumbent-defeated-in-ohios-2020-state-legislative-primaries/>.

<sup>49</sup> Ballotpedia *supra* note 30.

<sup>50</sup> *South Carolina Election Commission: 2020 Election Calendar*, South Carolina Votes (last visited May 29, 2020) [https://www.scvotes.org/sites/default/files/2020%20Election%20Calendar%20\(scVOTES\)%202019-08-06\\_0.pdf](https://www.scvotes.org/sites/default/files/2020%20Election%20Calendar%20(scVOTES)%202019-08-06_0.pdf).

<sup>51</sup> Members of the House serve for two years; Senators serve for four years. The terms of office begin on the Monday following the General Election which is held in even numbered years on the first Tuesday after the first Monday in November. Charles F. Reid, *South Carolina's Legislative Process*, South Carolina House of Representatives (Oct. 2016) at 5 [https://www.scstatehouse.gov/publicationspage/Booklet\\_2016\\_15thedition.pdf](https://www.scstatehouse.gov/publicationspage/Booklet_2016_15thedition.pdf).

Texas will hold two statewide elections over the remaining months of the year.<sup>52</sup> Texans will elect more than 219 candidates to federal, state and local office. They will vote for a President of the United States, one U.S. senator, 36 U.S. congressmen, a railroad commissioner, three supreme court judges, three judges for the criminal court of appeals, eight members of the state board of education, 16 state senators, 150 state representatives, various courts of appeals and district judges, district attorneys, county attorneys, a sheriff, a tax assessor-collector, county commissioners, justices of the peace and a constable.<sup>53</sup>

Wisconsin will hold two statewide elections in the remaining months of the year.<sup>54</sup> Wisconsin voters will elect 194 candidates to federal and state office. They will vote for a President of the United States, eight U.S. congressmen, 16 state senators, 99 state representatives, and 71 district attorneys.<sup>55</sup>

To ensure each of these elections are as safe, secure and accessible as possible, Congress must implement these changes and appropriate the necessary funding immediately.

## **Conclusion**

We can, and must, support an elections system that operates safely, efficiently, and accessible to all. Congress must take action to ensure that during this unprecedented time, elections are administered without disenfranchising any of our fellow citizens. We are in a state of national crisis now and it is critical that we safeguard both the health and safety of voters and our democracy. We must not, we cannot, sacrifice one for the other.

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<sup>52</sup> Important Election Dates 2020-2022, Texas Secretary of State (last visited May 29, 2020)

<https://www.sos.state.tx.us/elections/voter/important-election-dates.shtml>.

<sup>53</sup> Offices Up for Election in 2020, , Texas Secretary of State (last visited May 29, 2020)

<https://www.sos.texas.gov/elections/candidates/guide/2020/offices2020.shtml>.

<sup>54</sup> *2020 Wisconsin Election Information*, Wisconsin Election Commission (last visited May 29, 2020)

<https://elections.wi.gov/node/6560>

<sup>55</sup> *Wisconsin Elections Commission Candidate Tracking by Office 2020 General Election*, Wisconsin Election Commission (last visited May 29, 2020) <https://elections.wi.gov/sites/elections.wi.gov/files/2020-05/Candidates%20Tracking%20By%20Office%20as%20of%205.29.2020%20at%20630pm%29.pdf>.