



May 6, 2020

The Honorable Gavin Newsom
Governor, State of California
State Capitol
Sacramento, CA 95814

RE: The November Election – Legislation to protect public health and voting rights

Dear Governor Newsom:

Thank you for your leadership during this extraordinary and challenging time. The COVID-19 pandemic will have both short- and long-term impacts on our way of life in California, including the November 2020 election.

While the pandemic will not allow for an election to proceed as currently envisioned by state law, **we are announcing a legislative package today to ensure a safe and fair election.**

The November Election must be conducted in a manner that protects public health while safeguarding important and long-held historic civil and voting rights:

1. **A mail ballot option for all.** While legislation has already been introduced to require that all voters be mailed a ballot for this November's election, we respectfully request you issue an Executive Order immediately to formalize that requirement until the pending legislation can be enacted. Immediate action by Executive Order will allow counties to begin the procurement of equipment and materials to allow for every Californian to receive a mail ballot. Unlike many other states, California has provided the opportunity to vote from home for decades. Three-quarters of California voters already receive a mail ballot. Let's mail a ballot to the rest.
2. **Safe in-person voting options are a must.** While mailing voters a ballot is a start, it doesn't eliminate the need for in-person voting. Millions of Californians will need a safe in-person voting location this November because they never received a ballot, lost or damaged their ballot, need language or voting assistance, or need to register to vote.

Unfortunately, a massive reduction in voting locations would result in even longer lines and larger, potentially unsafe gatherings on Election Day.

Instead of widespread elimination of in-person voting locations, we must “flatten the curve” of voting. California voters should have access to in-person options earlier. Existing in-person voting requirements should be the goal, but the minimum standard should be a ratio of 1 location per 10,000 voters for four days statewide, with options to vote even earlier, which will help to flatten the spike of voters participating on Election Day. This would require at least 2,000 locations throughout California to serve 20 million voters – a reasonable minimum to protect public health and voting rights.

In order to accomplish this, legislation will soon be introduced to require county elections officials to establish and maintain a minimum number of polling places and vote centers for the statewide general election to be held on November 3, 2020.

3. **Voting locations and staffing.** The state should assist counties with acquiring voting locations that will allow for adequate social distancing. The state should also provide assistance with acquiring temporary personnel to staff these locations as well as pre- and post-election duties.
4. **Adequate PPE & Disinfectant.** The state should ensure that counties have enough personal protective equipment and disinfectant to ensure the safety of election personnel and voters.
5. **Ballot drop-off locations.** Adequate locations for voters to drop-off their ballot must be established statewide, with a minimum of two ballot drop-off locations within a jurisdiction or at least one ballot drop-off location for every 15,000 registered voters, whichever results in more locations.
6. **Voter Education.** Notifying voters that they are receiving a mail ballot and to vote early is essential to flattening the Election Day spike. Any savings through potential consolidation of precinct locations should be invested in voter education. We also believe the State Budget should invest in a robust statewide voter education program by the Governor and Secretary of State.
7. **Flexibility.** Uncertainty about the status of the pandemic may remain well into November and beyond. If the pandemic persists or resurges, nothing would prohibit you from taking dramatic steps to adjust in-person voting requirements at the last minute if public safety requires. But if the State and counties don't start identifying and securing locations now, we won't have enough locations and voters will certainly be disenfranchised.

Counties should begin work immediately in coordination with the Secretary of State, including the creation and submission of an election plan of administration

to ensure all steps are taken to secure adequate and safe locations. Modification waivers could be granted to counties on a case-by-case basis as a last resort.

We look forward to continuing to work with you, your office, the Secretary of State and elections officials to implement these important one-time reforms to ensure we protect the public's health and every voter's sacred right to vote. Please don't hesitate to contact us if you have questions or concerns.

Sincerely,



TOM UMBERG
Chair
Senate Elections &
Constitutional Amendments Committee



MARC BERMAN
Chair
Assembly Elections &
Redistricting Committee