The June 2020 Georgia Primary Election

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Georgia experienced significant difficulties in administering its June primary. To adapt Georgia's electoral infrastructure to deal with the pandemic, state officials delayed the planned primary election from March 24 to June 9, 2020. Secretary of State Brad Raffensperger sent absentee ballot request forms to the 6.9 million active voters in Georgia. In addition, Georgia election officials introduced various measures to keep in-person voting a viable and safe option. Before Election Day, more than 1.2 million Georgians had already voted, most opting into absentee voting, but including a substantial 324,000 early, in-person voters. Nonetheless, some voters reported having never received their requested absentee ballot, receiving the wrong primary ballot, receiving the ballot too late to mail it in, or confusion over whether or not they should vote by mail or in person. Further, scattered incidents of missing and malfunctioning technology, poorly trained or inexperienced poll workers, poll worker shortages, and a number of other human errors resulted in late starts, hours-long lines, and confusion among voters and poll workers alike. Secretary Raffensperger and other officials have called for investigations into what went wrong in order to address the issues before August run-offs and the November general election.

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Summary

After delaying its originally scheduled March primary for more than two months due to the pandemic, Georgia experienced considerable problems in the election held on June 9, 2020. Around 1.2 million Georgians had already voted absentee or through in-person early voting. But, before voting even opened, a wide array of problems emerged. A combination of new and unfamiliar touchscreen voting machines, undertrained poll workers, a shortage of polling places and poll workers, and reports of voters not receiving their requested absentee ballots in time to vote–or at all–set the stage for a difficult day. Together, these issues resulted in hours-long waits and frustrated voters and poll workers in some locations. Following the primary, officials in both parties expressed concern about the state's preparedness for the November general election.

After some debate, Governor Brian Kemp and Secretary of State Brad Raffensberger agreed to delay the state's primary, which was originally scheduled for March 24. On March 14, Raffensperger first postponed the primary election until May 19. Ten days later, the Secretary declared he would mail all 6.9 million active voters–but not 300,000 registered "inactive" voters–absentee ballot request forms for the primary. On April 9, the Secretary again postponed the primary to June 9, with any runoffs moved from July 21 to August 11.

Since 2005, Georgia has had no-excuse absentee voting, which allows any citizen to cast a ballot by mail without giving a reason. Thus, the Secretary's decision to mail all active registered voters an absentee ballot request form therefore did not require a legislative overhaul. However, it did reignite debates and fears, mostly unfounded, about fraud in mail voting. As a result, the Secretary formed the Absentee Ballot Fraud Task Force in late April to investigate all fraud allegations in the upcoming primary election. Although no fraud was detected in the June 9 primary, significant logistical problems prevented a smooth election.

This analysis highlights COVID-related challenges Georgia faced and the state's responses leading up to the state's June primary. Below are four key takeaways:

1. Capacity constraints pose serious challenges for the processing of a significant increase in absentee ballots.

To handle unprecedented numbers of absentee votes, Georgia will need to increase its capacity. Counties need additional resources to process record numbers of absentee ballot applications and absentee ballots. Voters in the primary experienced delayed receipt of ballots, with some never receiving them at all. In addition, Georgians should expect a delay in reporting results given the added time to process and count absentee ballots, but those delays could be shortened if more resources and technology were made available to local officials.

2. Despite increased absentee voting, a significant number of Georgians will vote in-person in November.

Although a significant number of voters voted absentee in the primary, in-person voting remains a popular option. For the state to prepare for November, however, suitable polling places must be identified and their locations must be advertised to voters. Georgia is exploring nontraditional polling places, such as large sports arenas, to ensure social distancing between voters. In addition, the mild weather in November allows for outdoor voting in Georgia, unlike many other states. Identifying adequate facilities is a necessary, if not sufficient, step toward limiting wait times in the fall.

3. Georgia faces a shortage of experienced and trained poll workers.

As in other states, Georgia's traditional pool of poll workers draws from senior citizens. Given that older people are in higher risk categories for COVID-19, many of the state's poll workers opted out of volunteering during the primary. To prepare for the November election Georgia must tap new sources for poll workers. Given the need for increased safety protocols and sanitization needs in precincts, more poll workers than usual may be needed to meet the increased needs of each polling location. Moreover, both new and old poll workers must be trained to administer Georgia's new touchscreen voting machines, which will require an increased number of technicians standing by on Election Day to provide support.

4. For the November election to be successful, Georgia must overcome the lack of coordination between state and local officials evident in the primary.

To address the dysfunction evident in the primary and to prepare for safe voting in November, all levels of government in Georgia will need to work together. Like many states, Georgia delegates most critical election administration functions to local officials. However, as became evident in the

primary, a statewide pandemic requires a statewide response. Local officials need the state to provide money, technical assistance, and training. They also need assistance in processing absentee ballot requests to avoid the confusion that resulted from delayed or never-sent absentee ballots during the primary. Finally, a statewide effort to recruit poll workers will be necessary to address the common problems that counties share.

I. Preparations for the Primary

On June 9, 2020, Georgia held primary elections for President, U.S. Senate, U.S. Congress, State Senate, State House, State Supreme Court, State Legislature, intermediate appellate courts, local judges, school boards, municipal government, and ballot measures. Georgia's primary runoff election is scheduled for August 11, two months following the primary election.

A. Timeline of Decisions Leading Up To Georgia's 2020 Primary Election

March 14 - Georgia Secretary of State Brad Raffensperger (R) postponed the primary to May 19.
> According to Georgia law, the Georgia Secretary of State can delay an election for up to 45 days if the governor declares a state of emergency. **Georgia Governor Brian Kemp (R)** renewed the Public Health State of Emergency on April 30 to last until May 13.

March 26 - Congress approves COVID-19 relief funds in the CARES Act, including $400 million for elections.
> Georgia received $11 million in federal coronavirus relief money via the CARES Act, to be matched by $2.1 million state dollars. The funds were to be distributed to county election offices to use for personal protective equipment (PPE), sanitizing disinfectant supplies, and secure drop boxes. Each county is eligible for up to $6,000 in coronavirus-related reimbursement. Local election officials can receive up to $3,000 for protective equipment such as masks, gloves, shields, and disinfectant materials. Officials are also eligible for $3,000 for purchasing and installing safe drop boxes where voters can deliver absentee ballots.

April 9 - The Secretary delayed the primary to June 9.
> Both Republicans and Democrats supported Raffensperger's decision to delay the primary, although **House Speaker David Ralston (R)** said Raffensperger should have changed the election date sooner.

April 16 - The State Election Board [voted](#) **to allow counties to buy drop boxes where voters can turn in their completed absentee ballots instead of mailing them.**

> Drop boxes must be monitored by video and located on government property. Counties that purchase drop boxes will be able to request reimbursement from the state using federal CARES Act relief funds. [Drop box prices](#) range from $50 for small wood collection boxes to over $760 for large weather-proof boxes that look like U.S. Postal Service mailboxes. Security cameras cost about $40.

April 20 - The Secretary [announced](#) **he would mail absentee ballot request forms to Georgia's 6.9 million active voters.**

> The 300,000 "inactive" voters that are registered but are not considered "active voters" due to their lack of participation in recent elections did not receive absentee ballot request forms. Printing and mailing the 6.9 million absentee ballot request forms [cost](#) the state government approximately $3 million. Federal CARES Act funding will be used to defray these costs.

May 11 - Early voting period began.

> Georgia state law requires three weeks of in-person early voting before the June 9 primary. Election officials took measures to enforce social distancing.

June 5 - Early voting ended.

> [About 324,000 Georgians](#) voted early in-person at polling locations across the state.

June 9 - Primary Election Day.

> Before voting began, more than [1.2 million](#) Georgians had already voted, including the 324,000 people who voted early, in-person.

II.   Challenges Faced in Transitioning to Vote-by-Mail

A. Political Challenges

Democrats and Republicans in Georgia have sparred over the issue of proactively mailing out absentee ballot applications to all voters. Secretary of State Raffensperger's decision to mail absentee ballot requests to the state's 6.9 million voters garnered criticism from Republicans, who [suggested](#) that the move flooded counties with a high volume of applications that needed to be processed. To prevent a repeat scenario, Republicans introduced an [amendment](#) to Senate Bill 463 that would prohibit election officials from mailing "unsolicited" absentee ballot request forms to voters.

Democrats [say] the bill would discourage voting by mail and force voters to vote in person amidst the public health threat. If the bill were to take effect, the onus would be on voters to download an absentee ballot request form or to apply for one through an online portal.

As in many other states, concerns about absentee ballot fraud have fallen along partisan lines in Georgia. Secretary Raffensperger launched the [Absentee Ballot Fraud Task Force] in late April to investigate fraud allegations. [Some critics] of the focus on fraud, such as former Secretary of State Cathy Cox, have argued that the task force is "a strategy that's being used to intimidate voters, not to really address a problem, because there is no problem."

[The financial cost] to transition to a more absentee-centric system should not be overlooked. Sending 6.9 million absentee ballot request forms costs the state over $3 million. There is an additional postage and handling cost of $1.88 and $2.38 per actual absentee ballot mailed following the request form, depending on the size of each ballot. Federal coronavirus relief money, combined with savings from consolidating polling places, will offset these costs.

B. Legal Challenges

In *Black Voters Matter v. Raffensperger*, a federal district court [ruled] that requiring postage on mailed absentee ballots for the June primary is not an unconstitutional poll tax on Georgia voters, reasoning that removing the postage requirement would be difficult for the state to implement so close to the June 9 primary and confusing to voters who had already received their absentee ballots. The court will consider whether the state should waive the postage requirement in future elections. The ACLU of Georgia filed suit in the Northern District of Georgia to [request] the state pay for postage stamps for voters submitting mail-in ballots. Given the dangers of voting-in-person during a pandemic, the complaint argues that voters are thus trapped to pay an unconstitutional poll tax in order to cast their ballots by mail.

In *New Georgia Project v. Raffensperger,* New Georgia Project, a voter registration group, [filed suit] in the Northern District of Georgia on May 8, 2020, asking that absentee ballots postmarked by Election Day should be counted (the current rule is that absentee ballots must arrive in county election offices by 7:00 PM on Election Day). The suit also asks the judge to order free ballot postage, allow groups like the New Georgia Project to turn in ballots for voters, require better notice to voters whose absentee ballot requests are rejected, and invalidate Georgia's matching signature policy. New Georgia Project filed a [motion for preliminary injunction] on June 10, 2020, citing primary day problems as indicative of why court intervention is needed.

C. Logistical Challenges

Failure to send absentee ballot request forms and absentee ballots on time:

Rapidly scaling up mail balloting presented many logistical challenges. These included issues with getting the ballots to the correct addresses and some absentee ballot requests being lost and therefore never processed.

1. *Address Problems.* Several absentee request forms were sent to the incorrect address, some forms provided incorrect instructions, and some listed incorrect return addresses. The United States Postal Service worked with counties to ensure incorrectly labeled ballots would be returned to the proper locations. Additionally, following the first wave of mailed absentee ballot request forms, election officials had to mail out 323,000 new request forms after voters did not receive the initial form due to logistical and address-related delivery issues (voters who use P.O. boxes and voters whose absentee mailing address differ from their residential address, for example, did not receive requests).

2. *Lost Absentee Ballot Requests.* In late May, Fulton County Elections Director Richard Barron ordered an audit to find emailed in, but unaccounted for, absentee ballot requests. Fulton County could not determine exactly how many absentee ballot requests were not accounted for, but county officials reported on May 27 that they had cleared the backlog of mail-in absentee ballot request forms. However, when voters logged on to their My Voter Page, which displays their voter registration status, the status of their absentee ballot, and their polling locations, some reported seeing no change to their ballot status.

3. *Failures to deliver absentee ballots.* On June 1, tens of thousands of Georgia voters were still reporting that they had not yet received their absentee ballots. 3,300 voters statewide, including 2,000 in Fulton County, were never sent absentee ballots because officials entered them into their system incorrectly.

The significant increase in absentee ballots caused major delays in tabulating results:

Despite the problems mentioned above, there were still more than 1.1 million absentee ballots cast in the primary, a record for the state. By comparison, approximately 37,000 people total cast absentee ballots in the 2016 Georgia primary. Secretary Raffensperger added high-speed ballot

scanners to help election officials more efficiently process the increased number of absentee ballots, but this seemed to have limited impact. On June 16, there were still tens of thousands of absentee ballots waiting to be counted. In addition to the sheer volume of ballots, much of the delay was caused by human error in filling out the absentee ballots, thus requiring human eyes to review and resolve discrepancies.

Elimination of second envelope caused confusion for some voters:

State election officials eliminated a second envelope typically used in absentee ballot forms, which secured ballots in another layer of packaging. Deputy Secretary of State Jordan Fuchs said this would allow county election officials to process absentee ballots more quickly, as officials will now only have to open one envelope instead of two. The second envelope was replaced with a privacy sleeve. The change caused some confusion, as instructions remained on the absentee ballot that requested voters to insert their ballot into a second envelope that no longer existed. The issue was caused by a miscommunication between the state and its ballot mailing company, Runbeck Election Services. Gabriel Sterling, implementation manager for Georgia's voting system, assured voters that absentee ballots would be counted as long as they were received by the time polls closed on Election Day (7:00 PM).

Signature matching and record verification:

Signature verification processes pose numerous challenges to election officials and voters, which may result in otherwise valid votes being uncounted. Georgia requires signatures on absentee ballots to match with the signature the voter used when they registered to vote. Election officials also verify that voters filled out all their information correctly and that it matches voter registration records. If county election officials reject an absentee ballot, they must contact the voter by email, phone, or postal mail within three business days. Voters must be contacted the next business day if absentee ballots are invalidated during the 11 days before Election Day. About 3% of all absentee ballots were thrown out in the 2018 general election. Voters can check the status of their absentee ballot on Georgia's My Voter Page.

III. Challenges Faced with In-Person Voting

A. Early Voting

Early voting became more restricted as early voting centers, such as churches, senior centers, and fire stations, closed their doors. There were 5 voting centers open in Cobb County, 11 in Dekalb

County, 5 in Fulton County, and 6 in Gwinnett County. Each polling place offered hand sanitizer and cleaning supplies during early voting.

B. Widespread Closing of Polling Places

Election Day polling places across Georgia closed due to COVID-19. These locations were typically churches, senior centers, and fire stations, with churches typically accounting for 35% of the state's polling places, followed by schools and municipal buildings at 27%. Counties across metro Atlanta in particular reported losing voting locations. Fulton County's loss was the greatest, with more than 30 of the county's typical 198 polling locations unable to host voters on Election Day. As Election Day drew closer, the number of closed polling places continued to rise, ultimately resulting in more than 10 percent of Georgia's polling places closing. Some local officials noted having no other alternative given their current financial and operational situations.

C. Poll Worker Shortages and Lack of Training

Many of the senior citizens who normally work the polls in Georgia decided not to volunteer for the primary, given the risks to their health. Some dropped out right before the election, and as a result many poll workers were hired shortly before Election Day. Fulton County, where an election official died of COVID-19, saw major losses to their poll worker roster. In Cobb County, about 400 poll workers refuse to work, leaving about 1,000 poll workers for its 144 precincts.

As a result of COVID-19, poll workers reported receiving very little in-person training on how to use the new voting machines, which use "touchscreens attached to printers that create paper ballots." New voting machines combined with coronavirus-related safety and sanitization precautions required both experienced and novice poll workers to learn new skills in administering the election. Many faced difficulty connecting all four of the system's components - a touchscreen voting machine, a tablet computer, a printer, and a scanner - into the correct power supplies. They also reported "trouble encoding voter access cards, logging into tablets, and starting up voting computers." Although state officials assert that the problems were a result of human error rather than the voting system itself, Eddie Perez of the Open Source Election Technology Institute noted that "if one poll worker makes a mistake, that's a user error. If you have many poll workers unable to operate the system, that's a system design problem." Training is supposed to be overseen by the Secretary of State and implemented by local election officials, making the failure to train both a local and state-level problem.

D. Protecting Health Inside Polling Locations

Counties throughout Georgia took unprecedented steps to protect the health of voters in polling places. Secretary Raffensperger's office bought 33,000 masks for poll workers in anticipation of the primary. His office also sent disinfectant wipes and sprays for poll workers to use on voting machines before and after each voter. Additionally, there was CARES Act relief funding available to counties to help with additional expenses. Voters were encouraged, but not required, to wear masks and socially distance.

Primary Election Preparations in Response to COVID-19 in Ten Largest Georgia Counties

County	Election Preparations in Response to COVID-19
Fulton Co.	1. 20 drop boxes available 2. Voters encouraged to wear masks
Gwinnett Co.	1. Eight boxes for drop-off 2. Voters can wear a mask, but masks not provided 3. Hand sanitizer provided 4. Can wear gloves, but they were not being provided 5. Older voters fast-tracked to the front of the line
Cobb Co.	1. Four ballot drop boxes are available at these locations 2. Poll workers required to wear masks, voters encouraged 3. Hand sanitizer is allowed 4. Only a certain number of people allowed inside the polling place and only a certain number allowed to stand in line at a time a. Other voters will be asked to wait in their cars
Dekalb Co.	1. Five absentee ballot drop boxes available 2. Provided "essential tools" for poll officials 3. Voters encouraged to bring their own mask 4. Provided hand sanitizer for voters to use 5. People required to stand at least six feet apart 6. Limited number of people allowed inside the precinct at a time
Chatham Co.	1. One absentee ballot drop box available at the Chatham Co. Board of Elections office 2. Masks worn worn by poll workers 3. 50 emergency masks were available for voters, but voters are encouraged to bring their own masks. 4. Hand sanitizer provided 5. Voters required to stand at least six feet apart, as indicated by tape on the ground
Cherokee Co.	1. One secure absentee ballot drop box located outside the County Tax Assessors' Office.

	2. Gloves for voters 3. No-touch hand sanitizer provided on a stand 4. Poll workers will be provided masks and disinfectant wipes
Henry Co.	1. One absentee ballot drop box available at the County Elections Office. 2. All poll workers must wear PPE 3. Poll workers will sanitize every voting machine after a voter uses it. 4. Will encourage voters to wear PPE 5. Have a waitlist for poll workers because they have received so much demand 6. Have strings that mark six feet of social distance for voters 7. No more than 10 people are allowed in the voting area at a time 8. Seniors are pushed to the front so they can vote faster
Forsyth Co.	1. There is a secure drop-off box with a camera attached to it for people to drop off absentee ballots. 2. Limited number of people allowed inside at a time 3. Poll workers will wear PPE and wipe surfaces and objects down 4. Social distancing guidelines put in place to keep people six feet apart at all times. 5. Seniors pushed to the front so they can vote faster

Richmond Co.	1. Four secure absentee drop-off boxes located at the headquarter for county elections office and at three other community organizations.
	2. Poll workers are mandated to wear PPE by the state. One County official created a tool kit for every poll worker, which includes:
	    a. 2 sets of gloves
	    b. Masks
	    c. Hand sanitizer
	    d. Eye shields
	3. Voters will be provided with a stylus to handle touch screen equipment
	4. Will provide masks for voters and encourage their use, but cannot force them to wear masks or deny entry to those without masks.
	5. Under state law, citizens with disabilities will be moved forward to the front of the line from 9:30 AM - 4:30 PM.
	
	*Since May, officials have not faced problems sourcing supplies, mainly from Amazon and a few other wholesale providers.

IV.   Conclusion

Despite delaying its primary election twice and sending absentee ballot request forms to all active voters, Georgia was unprepared for its June 9, 2020 primary. The demands of social distancing and voter safety required election officials to take unprecedented steps to adapt the electoral system to

the COVID environment. With adequate resources and training, the system failures that occurred can be remedied in time for the November election.

With the exception of updating its administration to account for new voting machines, Georgia's needs are not unique. It needs to expand its capacity to process absentee ballot requests and the ballots themselves. The state needs more polling places and poll workers. It needs to update its training to account for these new voting machines and the challenges of the COVID environment. It needs new, larger facilities, which can ensure social distancing, to serve as polling locations. All of these challenges can be overcome with adequate resources, but time is running out for the state to make the necessary changes to ensure that the general election does not experience the same problems as the primary.

V.   Appendix

A. Key Resources

i.   [Georgia Secretary of State Election Page](#)
ii.   [Georgia My Voter Page](#)
iii.   [Georgia Election and Voter Registration Calendar](#)
iv.   [Atlanta Journal Constitution Elections Page](#)

B. Relevant Georgia Election Laws Summary via the Lawyers Committee for Civil Rights

Citation in GA Code	Law
Ga. Code Ann. § 21-2-224	*Mail-in Registration Deadline:* 29 days prior to Election Day
Ga. Code Ann., § 21-2-380(b)	*Type of Mail Ballot System:* No Excuse

O.C.G.A. § 21-2-386	*Absentee Application Submission Deadline:* Friday before Election Day *Absentee Ballot Submission By Mail Deadline*: Received by Election Day
Ga. Code Ann., § 21-2-385	*Method of Returning Absentee Ballot:* Via U.S. mail or personally delivered to the board of registrars. Voters must mail or deliver their own absentee ballots unless disabled or hospitalized.
Ga. Code Ann. §21-2-384; §21-2-386(a)(1); §21-2-573	*Verification Process of Absentee Ballots:* Election officials verify that the voter has signed the oath on the absentee ballot return envelope, and that the signature and identifying information in the oath matches that on the absentee ballot application and on file for the voter. Ballots that do not conform are rejected, and voters are promptly notified of the rejection. If a first-time voter fails to provide a copy of valid ID with their ballot, the ballot is marked provisional and only counted upon identity verification.
Ga. Code Ann. § 21-2-417 § 21-2-417.1 § 21-2-419	*Acceptable ID for In-Person Voting:* Valid state or federal photo ID; any Georgia driver's license even if expired; valid military or tribal photo ID card; Employee photo ID issued by the federal government, the State of Georgia, or a local government entity in Georgia.
Ga. Code Ann. §21-2-382 § 21-2-385	*For primaries and primary runoffs, and general elections:* From the Fourth Monday prior to Election Day until the Friday before Election Day *For general election primaries:* As soon as possible in elections with only state and county candidates on the ballot, but no later than the second Monday prior to Election Day until the Friday before Election Day