



Wisconsin Elections Commission

212 East Washington Avenue | Third Floor | P.O. Box 7984 | Madison, WI 53707-7984
(608) 266-8005 | elections@wi.gov | elections.wi.gov

MEMORANDUM

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Meagan Wolfe
Administrator

DATE: March 29, 2020

SUBJECT: Public Health Guidance for Elections

We would like to express our gratitude to our local election partners for all of your incredible work leading your communities through these very trying times. WEC staff has worked with a public health official to develop guidance to help you prepare your polling places and poll workers for Election Day. Included in this packet, please find:

- **Checklist.** This checklist was developed with the advice of a public health official to outline processes for conducting Election Day voting safely for voters and poll workers. Please review the checklist and incorporate these practices into your Election Day planning.
- **Poll Worker Screener.** The public health official advising the WEC has suggested that on Election Day poll workers be screened to ensure that they can safely work. Attached you will find the screening questions to ask to poll workers. You may either choose to have each poll worker fill out the screener or post the screener and ask poll workers to read the questions and answer them.
- **Polling Place Signage.** As is discussed in the attached checklist, it is advised that you place signs on the entrance and in relevant spots in the polling place to advise voters of procedures and enforce social distancing standards. Again, these signs were developed with the advice of a public health official. We will also be distributing printed signs to each county to be distributed to municipalities along with other supplies.
- **Hospitalized Electors.** At its March 27 meeting, the Commission voted to expand the definition of hospitalized elector to include voters in quarantine. We also worked with a public health official to discuss the recommended process to

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conduct the hospitalized elector process with quarantined voters. This memo to clerks outlines the recommended process and explains the expanded definition.

- **Curbside/ Drive-Through Procedures.** Clerks have asked for guidance on how to conduct curbside voting in accordance with health guidance for those who are not able to enter the polling place. There have also been jurisdictions who have asked for advisement on how to conduct outdoor or “drive-through” voting. This memo to clerks outlines the recommended process and provides public health procedures.
- **Absentee Witness Requirement.** Clerks and voters have also asked for guidance on how absentee voters can have their ballot witnessed in accordance with public health guidance. This memo to clerks outlines the recommended process and provide suggested options for voters who are having difficulty meeting the witness requirement.

WEC staff continues to develop additional documentation that clerks have been requesting to prepare for Election Day. We expect to finalize and post the following resources in the coming days:

- **Webinar.** We are working to develop a webinar which we will post for clerks to view and to use as training for poll workers. The webinar will cover the items in this packet, outline specific procedures recommended for the poll book and voter registration tables and provide additional guidance developed with a public health official.
- **Live Q&A Sessions.** After the webinar and materials are posted, we will also be holding a series of live Q&A sessions so that clerks have an opportunity to ask questions of WEC staff about how to incorporate this health guidance into their Election Day procedures.
- **Videos.** To help visualize the processes, like poll book signing and registration, we are also developing videos to demonstrate the process which you can use for training.
- **Supplies.** We are finalizing plans to get needed supplies like sanitizer to polling places and we hope to share details about those plans early this week.

Thank you for all you do! We will continue to keep you up to date on resources available as we get closer to Election Day.

This checklist was developed by the Wisconsin Elections Commission in consultation with a public health official to provide guidance on how to prepare your polling place, poll workers, and voters for Election Day.

Please go through each item to consider how you will incorporate each practice into your election day procedures.

Election Day Checklist for COVID-19 Procedures

Polling Place Facility Considerations

- Keep entrance doors open if possible. Minimize knobs, handles, etc. that voters need to touch.
- Larger rooms or facilities recommended where lines for voters to wait can form with at least 6 feet between voters.
- Larger rooms or facilities are also recommended to help with spacing out the voting process to maintain 6 feet between voters.
- Voters and poll workers should not be allowed to congregate in the building.
- Potlucks and bake sales should not be offered. Communal eating, such as pizza or crock pot dishes, should be avoided. Pre-packaged or single serving food or snacks are acceptable.

Poll Worker Considerations

- People over the age of 65 or with the following underlying health conditions are considered more at risk of serious infection from COVID-19. It is strongly suggested that individuals in these categories not serve as poll workers. Underlying conditions that make an individual susceptible include those who have chronic lung disease, moderate to severe asthma, serious heart conditions, immunocompromised status (e.g., poorly controlled HIV/AIDS, cancer patients), and pregnant women.
- Poll workers should be screened on election day. They should be asked the following questions:
 1. Have you come in contact with a person known or suspected to have COVID-19?
 2. Have you had a fever in the last 24 hours?
 3. Have you had a cough in the last 24 hours?
 4. Have you had any difficulty breathing in the last 24 hours?
 5. Have you had any unexplained body aches in the last 24 hours?
 6. Have you taken any medications that would reduce a fever? (Tylenol, Ibuprofen, Acetaminophen)

If they answer 'Yes' to any of the six questions they should not be allowed to work on election day.

Signage and Line Management

- Signage should be posted outside of building or prominently displayed on a window that reads, "HEALTH ALERT! Do not enter this building if you are experiencing any of these symptoms or have been in contact with anyone with these symptoms: shortness of breath, sore throat, achiness, fever (100.4F), nasal congestion, or cough." Voters who are unable to enter can be offered curbside voting, see protocols for safe curbside procedures.
- A greeter could also be used to ask voters these questions as they enter the building or voting area.

- Where lines form, use tape on the floor or other markers every 6+ feet to show where voters should stand to maintain proper social distancing.
- Signs should be placed in the polling place where lines form that reads: "Please exercise proper social distancing while voting by maintaining at least 6 feet between yourself and other voters and poll workers."
- Limit the number of people allowed in the building at once to allow for proper social distancing and avoid crowding.
- Have a greeter managing the number of people allowed in the building at any one time and then showing them how to form a line using proper social distancing spacing.
- Signs could also be used throughout the voting process; for example, signage at the poll book about the process to follow. "Place ID on square on table and step back behind the line."
- If there are children with the voter, see if there is an alternative to bringing the children in to the polling place (ex. two parents voting take turns while one stays outside with kids).

Hand Hygiene for Voters and Poll Workers

- When sanitizing product is applied to hands or surfaces, it is most effective when it is allowed to air dry and is not wiped. Do not blow on hands or surfaces to dry.
- Upon a voter entering the building, they should sanitize their hands using a hand wash station, hand sanitizer, or WEC provided alcohol spray sanitizer.
- After casting their ballot, voters should sanitize their hands using a hand wash station, hand sanitizer, or WEC provided alcohol spray sanitizer.
- Poll workers should break to wash their hands or apply sanitizer every 10 minutes, if feasible. Using soap and water to clean hands for at least 20 seconds is the preferred method.
- Poll workers should also avoid touching their eyes, nose and mouth.

Observers

- Observers should only be accommodated if capacity for the observer area has not been exceeded and social distancing standards can still be maintained.
- Observers areas should be established at least 6 feet away from voters, poll workers, and observers should be seated at least 6 feet from one another.
- Observers should be offered hand sanitizer upon entering the facility and upon leaving.
- Observers can be asked the same screening questions as those asked of poll workers.

Cleaning Surfaces

- Surfaces, such as tables, doorknobs, and voting booths should be wiped down every 10 minutes with either a 70%+ isopropyl alcohol or 60%+ ethanol alcohol cleaner.
- Touch screens on voting equipment or electronic poll books should be cleaned after each voter, or as often as feasible (every 10 minutes). Only 70%+ isopropyl cleaning wipes should be used on touch screens.
- Pens used by voters to sign the poll book and mark their ballot should either be sanitized between each use or should be taken by the voter/ disposed of.

Polling Place Process Considerations

- At the poll book table, place a taped off square on the table. Ask the voter to place their photo ID on the table in the square, then ask them to step 6 feet away to a spot marked on the floor. Both poll workers managing the poll book should look at the photo ID without touching it. When the poll workers have completed their review, they will ask the voter to step forward and retrieve their photo ID.
- The poll book should be slid forward on the table and the poll worker step back when the voter approaches to sign. Signature guides should be used to indicate where the voter signs. The guides need to be sanitized after every 10 voters.
- Voter Registration - Voters can complete the form from a safe social distancing spot and then place the form and their proof of residence document on the table and step back behind the six-foot line marked on the floor.
- Voter Registration - Poll worker or ERO would then verify the voter registration form and proof of residence document and complete and sign the form while the voter waits behind the six-foot line.
- Voter Registration – If proof of residence (POR) is shown electronically, the voter should place the device on the table for the poll worker or ERO to verify their POR and step back behind the 6 foot line to wait for the poll worker or ERO to complete and sign the form.
- Voters who are unable to enter can be offered curbside voting in accordance with the guidelines provided for that process.

This screener is to be used at the polling place on Election Day to ensure poll workers are able to serve.

You may choose to either post the screener and ask poll workers to answer the questions or you may ask each poll worker to complete the questionnaire.

Poll Worker Screener for COVID-19

1. Have you come in contact with a person known or suspected to have COVID-19?
2. Have you had a fever in the last 24 hours?
3. Have you had a cough in the last 24 hours?
4. Have you had any difficulty breathing in the last 24 hours?
5. Have you had any unexplained body aches in the last 24 hours?
6. Have you taken any medications that would reduce a fever? (Tylenol, Ibuprofen, Acetaminophen)

**If you answered 'yes' to any of the top 6 above questions
you should not serve as a poll worker today.**

Please use the signs in this packet for the following purposes:

- 1) Health Alert sign – Post at the entrance to the polling place or room used for voting**
- 2) Social Distancing sign – Post anywhere where you expect lines to form to remind voters of social distancing standards**
- 3) Poll Book Table sign – Post at poll book table so voters are aware of the six foot line and expected procedures**
- 4) Voter Registration Table sign – Post at registration table so voters are aware of the six foot line and expected procedures**

HEALTH ALERT

Do not enter this building if you are experiencing any of these symptoms or have been in contact with anyone with these symptoms:

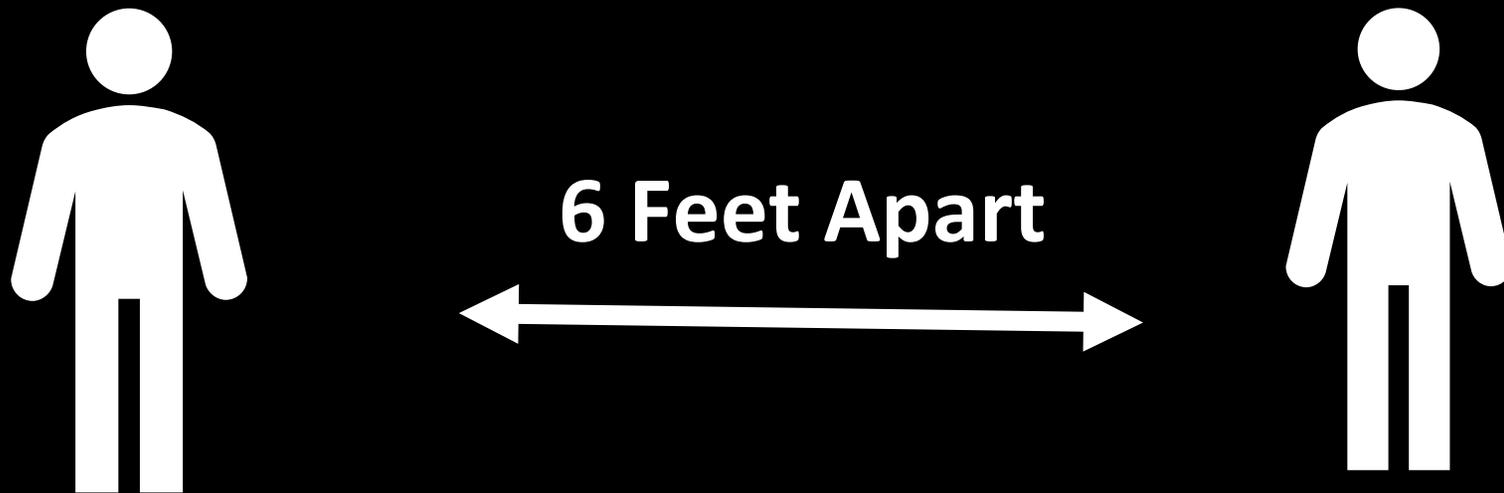
- Shortness of Breath
- Cough
- Fever (100.4F)
- Nasal congestion
- Sore Throat
- Achiness

Please call () _____ - _____ to vote curbside

**Please exercise proper social
distancing while voting**



**Maintain at least 6 feet between
other voters and poll workers**



STOP!

Photo ID & Poll Book Procedures

Please Follow Poll Workers Instructions

Step 1- Place photo ID face up on table

Step 2- Step back to 6 feet from table

Step 3- Poll Worker will review ID and find your record

Step 4- Step up and sign poll book and take ID

STOP!

Voter Registration Process

Please Follow Poll Workers Instructions

Step 1- Fill out registration form from a spot 6 feet away from voters and poll workers

Step 2 - Place completed form and proof of residence on table where instructed

Step 3 - Step 6 feet away from table while poll worker processes form

Step 4- Step up to the table and retrieve proof of residence materials



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DATE: March 29, 2020

TO: Wisconsin Municipal Clerks
Wisconsin County Clerks
City of Milwaukee Elections Commission
Milwaukee County Elections Commission

FROM: Meagan Wolfe, Administrator
Wisconsin Elections Commission

SUBJECT: Hospitalized Electors and Public Health Guidance

At its March 27 meeting the Commission voted to expand the definition of hospitalized electors to include those quarantined in their home due to COVID-19. The Commission had directed WEC staff to consult with public health officials to understand the impact of expanding the definition of hospitalized elector to include voters who are quarantined and to develop steps for clerks and voters to follow when voting using the hospitalized voter process. The following outlines the process that should be followed for hospitalized electors in quarantine and answers questions we have received from clerks about the process, both at home and in a hospital.

Current Hospitalized Elector Process

Under current law, a hospitalized elector can assign an agent (any qualified elector of their choosing) to serve as the carrier of application and ballot materials between the hospitalized elector and the municipal clerk's office. For the April 7, 2020 election voters who are quarantined in their homes may use the hospitalized elector process following the health guidance outlined below. The statutes allow the hospitalized elector provisions to be used in the week before an election and on election day. For your reference, the provisions of Wis. Stat. § 6.86(3) are included at the end of this memorandum.

Process for Those Quarantined in Their Homes

The Commission directed WEC staff to consult with a public health official to develop a process for allowing quarantined voters to use the hospitalized elector process. Steps 1 through 9 below were developed in consultation with a public health official to outline how the process could be structured to help protect the health of the quarantined voter, the agent, clerks and election inspectors. If you have voters who are quarantined and are using the hospitalized elector process, please ask them to follow these steps in conjunction with the hospitalized elector process:

Step 1) The voter assigns an agent to carry materials between the voter who is quarantined and the municipal clerk's office. The agent can be any qualified elector of the voter's choosing.

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Step 2) Voter washes or sanitizes their hands before filling out any required paperwork and takes extra care not to cough on ballot materials. Voter fills out an absentee ballot application and, if necessary, a voter registration application. With the application(s) the voter also needs to provide a copy of their photo ID (or original ID) and, if registering to vote, their proof of residence document. The voter places these materials on their front step, in a mailbox, etc. for the agent to retrieve. If time allows, it is recommended that the voter put the materials in a bag, so the agent does not need to touch the materials directly, and allow the materials to sit untouched for 24 hours before the application materials are retrieved.

Step 3) Upon retrieving, the agent completes the agent section on the quarantined voter's absentee application. The agent then brings the application(s) and related materials to the municipal clerk's office. The agent should wash or sanitize their hands before and after touching the voter's application materials.

Step 4) The agent presents the hospitalized voter's materials and documentation to the municipal clerk. The agent also needs to show the municipal clerk their own photo ID.

Step 5) The clerk issues the voter's ballot and ballot materials to the agent. The clerk should wash or sanitize their hands after touching the voter's application materials.

Step 6) The agent brings the ballot and balloting materials back to the quarantined voter. Again, the agent can place the materials outside the voter's door, in a mailbox, etc.

Step 7) Before retrieving their ballot materials, the voter should wash or sanitize their hands and take extra care not to cough on the ballot materials.

Step 8) The quarantined voter will need someone to witness their ballot. The agent may witness the voter marking their ballot through a window, open door, etc. The quarantined voter marks their ballot and completes the voter certification. The agent/witness would then sign and complete their address information on the certificate envelope and leave it outside for the voter to collect. The voter collects the envelope, puts their voted ballot in it and places the envelope back outside for the agent to collect. Again, ideally the quarantined voter would place their voted, sealed ballot in a bag and leave it untouched for 24 hours before the agent retrieves it.

Step 9) The agent delivers the voted ballot back to the municipal clerk's office. If there is enough time, the agent or the voter may return the ballot by mail to the clerk. The preferred method of delivery would be for the agent to hand-deliver the voted ballot to the clerk's office or polling place on election day to ensure it is received by 8 p.m. on Election Day. The agent should wash or sanitize their hands after handling the voted ballot, and the clerk or poll worker should also wash or sanitize their hands after handling the voted ballot.

Questions About the Process

The following questions and answers resulted from WEC staff consulting with an official of the Department of Health Services. The first set of questions outlines concerns specific to voters in quarantine at home using the hospitalized elector process. The second set of questions outlines concerns specific to voters in hospitals as traditionally defined.

1) Q: What is the definition of quarantine?

A: Quarantine separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick.

2) Q: Are there doctor's orders, etc. given to quarantined patients?

A: The state health department generally develops criteria (e.g., positive test, high or medium risk exposure to a positive case) for who should be quarantined and communicates these criteria to health care providers and local health departments. Quarantined patients are contacted by their local and/or state health department if they meet these criteria, who provide instructions on quarantining and self-monitoring, but oftentimes, they may also receive these instructions from their physician.

3) Q: Are there concerns about transmitting paper application and ballot materials from a quarantined voter?

A: The primary concern would be exposure by the agent to surface contamination on the voter's application and/or ballot. If the voter was instructed to wash or sanitize their hands prior to completing the application and ballot, that would reduce the level of concern, although they could still cough or sneeze on these materials. The agent could also wear disposable gloves and place the ballot in a container for 24 hours to allow any contamination to degrade/die.

4) Q: Are there recommended points in the process that the voter, agent or clerk should exercise hand hygiene? Example, should the quarantined voter sanitize/wash hands prior to interacting with the paper materials? Should the agent sanitize their hands prior to or after interacting with the paper materials?

A: Yes, the voter should wash or sanitize hands before handling the application and ballot, and the agent should sanitize their hands after handling these materials and placing in another container.

5) Q: What other concerns should we consider for quarantined voters or those who are serving as an agent for quarantined voters?

A: Perhaps exposure to some residual contamination by someone processing the application or ballot, but this should be significantly/completely inactivated after 24 hours, if the processing can wait. Even if they sanitize their hands prior, the voter could contaminate the ballot by coughing, sneezing, breathing on it.

Questions About Those in a Traditional Hospital

1) Q: Would an agent be allowed to access materials or take materials from a voter who is quarantined in a hospital or a health care facility?

A: It seems most hospitals are strictly limiting non-essential visitors, so this could be a major impediment.

2) Q: Would hospital personnel be allowed to serve as the agent and serve as a carrier for the materials?

A: Perhaps, but they will likely be too busy to be available to serve in this role.

3) Q: What other concerns should we consider for voters using this process who are in a traditional hospital?

A: Not so much for the voters, but the agents would be entering a high-risk situation.

6.86(3) Hospitalized Elector Statutes

1. Any elector who is registered and who is hospitalized, may apply for and obtain an official ballot by agent. The agent may apply for and obtain a ballot for the hospitalized absent elector by presenting a form prescribed by the commission and containing the required information supplied by the hospitalized elector and signed by that elector, unless the elector is unable to sign due to physical disability. In this case, the elector may authorize another elector to sign on his or her behalf. Any elector signing an application on another elector's behalf shall attest to a statement that the application is made on request and by authorization of the named elector, who is unable to sign the application due to physical disability. The agent shall present this statement along with all other information required under this subdivision. Except as authorized for an elector who has a confidential listing under s. [6.47 \(2\)](#) or as authorized under s. [6.87 \(4\) \(b\) 4.](#), the agent shall present any proof of identification required under sub. [\(1\) \(ar\)](#). The form shall include a space for the municipal clerk or deputy clerk to enter his or her initials indicating that the agent presented proof of identification to the clerk on behalf of the elector.
 2. If a hospitalized elector is not registered, the elector may register by agent under this subdivision at the same time that the elector applies for an official ballot by agent under subd. [1](#). To register the elector under this subdivision, the agent shall present a completed registration form that contains the required information supplied by the elector and the elector's signature, unless the elector is unable to sign due to physical disability. In this case, the elector may authorize another elector to sign on his or her behalf. Any elector signing a form on another elector's behalf shall attest to a statement that the application is made on request and by authorization of the named elector, who is unable to sign the form due to physical disability. The agent shall present this statement along with all other information required under this subdivision. The agent shall provide proof of the elector's residence under s. [6.34](#).
- (b)** When each properly executed form and statement required under par. [\(a\)](#) is presented to the municipal clerk, if the elector who proposes to vote is qualified, an absentee ballot shall be issued and the name of such hospitalized elector shall be recorded by the clerk. An agent who is issued an absentee ballot under this section shall present documentation of his or her identity, provide his or her name and address, and attest to a statement that the ballot is received solely for the benefit of a named elector who is hospitalized, and the agent will promptly transmit the ballot to such person.
- (c)** An application under par. [\(a\) 1.](#) may be made and a registration form under par. [\(a\) 2.](#) may be filed in person at the office of the municipal clerk not earlier than 7 days before an election and not later than 5 p.m. on the day of the election. A list of hospitalized electors applying for ballots under par. [\(a\) 1.](#) shall be made by the municipal clerk and used to check that the electors vote only once, and by absentee ballot. If the elector is registering for the election after the close of registration or if the elector registered by mail and has not voted in an election in this state, the municipal clerk shall inform the agent that proof of residence under s. [6.34](#) is required and the elector shall enclose proof of residence under s. [6.34](#) in the envelope with the ballot. The clerk shall verify that the name on any required proof of identification presented by the agent conforms to the name on the elector's application. The clerk shall then enter his or her initials on the carrier envelope indicating that the agent presented proof of identification to the clerk. The agent is not required to enter a signature on the registration list. The ballot shall be sealed by the elector and returned to the municipal clerk either by mail or by personal delivery of the agent; but if the ballot is returned on the day of the election, the agent shall make personal delivery to the polling place serving the hospitalized elector's residence before the closing hour or, in municipalities where absentee ballots are canvassed under s. [7.52](#), to the municipal clerk no later than 8 p.m. on election day.



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DATE: March 29, 2020

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission

FROM: Meagan Wolfe, Administrator
Wisconsin Elections Commission

SUBJECT: Curbside Voting, Drive-Through Voting and Outdoor Polling Places

Commission staff has received many inquiries from municipal clerks regarding the legality and feasibility of conducting voting on Election Day using only “curbside voting” as set forth in Wis. Stat. § 6.82(1), allowing individuals to “drive-through” vote or move polling places outside of the traditional building to allow for more social distancing for voters and inspectors. There has also been some confusion regarding the terminology being used to describe the voting options and polling place setup being proposed so the Commission provides this communication to address questions on those topics as planning continues for the April 7 election. We have also received questions as to how public health and social distancing procedures can be incorporated into the curbside and “drive-through” process and this document outlines recommended procedures to address public health concerns.

1. Curbside Voting

What is “curbside voting?”

The Commission’s [Election Day Manual](#) (pgs. 66-67) provides recommended procedures for conducting curbside voting which are consistent with Wis. Stat. § 6.82(1). A voter who, as a result of a disability, is unable to enter the polling place may elect to receive a ballot at the entrance of the polling place. Election inspectors confirm with the voter that they are unable to enter the polling location and then accommodate the voter by observing the photo ID, having the voter complete a voter registration form and showing proof of residence (if necessary), and vote the ballot while still in the vehicle. To avoid removal of the pollbook from the polling location, the curbside voter is exempt from signing the pollbook. Instead, a notation is made on the pollbook indicating that the ballot was cast at the entrance of the polling location and that the person was exempt from signing. If there is no objection, the ballot is then placed in the tabulator or ballot box by the inspector and the incident is logged on the Inspectors’ Statement.

Can “curbside voting” be the only voting method offered at a polling place on Election Day?

Commission staff believe the statutorily prescribed process for “curbside voting” under Wis. Stat. § 6.82(1) is reserved for voters that appear at the polls and make a specific request to vote from their vehicle because they are unable to enter the polling place because of a disability. “Curbside voting” should be offered by municipalities, just like any other election but it cannot be the only method of

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voting offered. An increase in usage of that process due to current COVID-19 situation could be for the April 7 election. Additionally, health and safety precautions should be taken to ensure that voters requesting a curbside ballot and the inspectors that administer the process are safe. Municipal clerks should review curbside voting procedures with their inspectors in case an increase in requests materializes.

2. Drive-Through Voting

Can a municipality offer voters the opportunity to “drive-through” vote at a polling location?

“Drive-through” voting, as it has been described by some municipal clerks would be different than curbside voting. Unlike curbside voting which has specific statutory procedures and exemptions (like signing the poll book), Commission staff believe drive-through voting would need to substantially meet the procedures normally reserved for voting in a traditional “brick and mortar” polling location. Many of the recommendations below would also apply to municipal clerks that are considering moving a polling location outside to an area with better ventilation or one that can provide more space.

If a municipality is considering offering “drive-through” voting for its voters, at a minimum, the Commission staff believe the following issues should be taken into consideration. Additionally, Commission staff would recommend that municipal clerks rehearse the drive-through process to work out any potential roadblocks or pinch points prior to Election Day.

Publicize Changes to Process

If a municipality choose to offer drive-through voting, publicizing this change for voters will be important. Municipal clerks should do their best to reach voters via direct mail, media, social media, municipal webpage and postings around the municipality to notify voters of the option to vote drive-through. Municipal clerks should publicize all of the voting options that will be offered at the polling location, and brief instructions on how those processes will work.

State Name and Address

Unless unable to state their name and address as permitted by law, the voter shall state their name and address, and the inspectors shall determine if the voter is on the pollbook and is eligible to receive a ballot. In a drive-through voting situation, a municipality will have to ensure that the inspectors and any observers are able to hear the voter, even if they remain in their vehicle. Appropriate health and safety measures must also be considered.

Photo ID Requirements

Voters utilizing drive-through voting are still required to present an acceptable photo ID prior to a ballot being issued. Inspectors need not handle the photo ID, but the inspectors must be able to determine that it is a valid ID under the law, the photo reasonably resembles the individual and the name is substantially the same as the name on the pollbook. The same process inspectors would use had the person presented to themselves at the pollbook table in a traditional polling location. In a drive-through voting situation, a process for inspectors to view and verify the photo ID against the pollbook will need to be established. Viewing the photo ID through the voter’s vehicle window may be recommended to minimize close face-to-face contact between the voter and the inspector. Additional health and safety measures must also be considered when establishing the view and verification process for photo ID.

Election Day Registration Opportunity

If voting is going to occur via drive-through, municipal clerks should decide if Election Day Registration will also be offered using the same method. Similar to a traditional polling place setup, municipal clerks should decide if there are different drive-through lanes for already registered electors and electors that need to register/change name/change address.

Election Registration Officials conducting registration for voters should be mindful of the same health practices being practiced by officials verifying photo ID and having voters sign the pollbook.

Pollbook

Unless unable to sign the pollbook due to a disability as permitted by law, the voter shall sign the poll book prior to receiving a ballot. A voter may use their own writing utensil to sign the pollbook or use a writing utensil provided by the municipality. Voters should be advised to only sign the pollbook, and not to unnecessarily touch other portions of the pollbook if possible. A process for frequently cleaning the utensils used to sign the book, or in the case of electronic pollbook, the device, should be established to limit exposure by individuals using shared writing utensils. If a municipality uses a “drive-through” option for voting, “curbside voting” would likely not be needed, as many voters would be voting from their vehicles, and not just those individuals that are unable to enter the polling place due to a disability. Other best health practices, like offering hand sanitizer (when available) to the voter before they sign the pollbook and vote their ballot should also be considered.

Casting the Ballot/Ballot Security

Once a voter has completed the ballot, the municipal clerk should establish a process for how the voter will place the ballot into the tabulation equipment or ballot box while remaining in the car (if possible). The Commission recommends that inspectors assist voters in completing the process. Municipal clerks could provide a security sleeve that the voter may place the ballot in while the inspector transports the ballot (in view of the voter) to the tabulation equipment or ballot box. Commission staff would advise against a voter going station to station (ballot station, registration station, voting station, submission station) as voters may drive away with ballots without casting them. However, municipal clerks and voters will need to be flexible in how ballots make it from the voter to the tabulation equipment or ballot box.

Observers

Municipal clerks should ensure that there is a reasonable opportunity for the public to observe the public aspects of the voting process. A designated observer area should be established and marked so members of the public can observe. Depending on the setup of the drive-through location, multiple observer locations may be necessary to enforce social distancing amongst observers while also allowing for observation of voter check-in and registration transactions.

Accessibility

Drive-through voting should be accessible to all voters in the community, including individuals with disabilities. Required notices regarding the election must also be posted and visible for individuals utilizing the drive-through process, including any notices that are to be posted in alternative languages under federal law. ADA compliant accessible voting equipment must be available at all polling locations, regardless of the setup.

Signage, Traffic Control, Line Management

To ensure proper flow of traffic in and out of the drive-through location, proper signage and traffic control measures to assist with voter line management needs to be considered. Proper traffic flow to minimize long lines of cars is important so as not to deter individuals from appearing at the location. Signs to notify voters where to stop and how to enter and leave the drive-through location should be clearly displayed.

Alternatives to Drive-Through Voting

Individuals that are unable or unwilling to use the drive-through process should have the ability to vote using traditional methods in the polling location, or the location that may have been moved outdoors to complement the drive-through voting option. This would include the use of accessible voting equipment if requested.

3. Moving a Polling Location Outside

Can a municipality move its polling location outside?

Commission staff believe that there is nothing that would prohibit a municipality from moving its polling place operations outside, as long as all legal requirements and procedures can be accomplished at the location outside despite it being outside. Moving the location outside could help with maintaining proper social distancing and ventilation for voters appearing at the polls and the inspectors administering the election.

The same considerations recommended above for drive-through voting may apply to an outdoor polling location, and municipal clerks should have a backup plan in case weather or other unforeseen events occur due to holding an election at an outdoor polling place.

4. Public Health Procedures

Regular curbside administrative procedures should be followed but social distancing standards (6 feet between people) should be used to ensure the health and safety of voters and poll workers. We understand that face to face interactions are required for this process, but they should be minimized by verifying information through a vehicle window and keeping interactions brief and limiting conversation to essential voting-related discussion. Here are some procedures that should be incorporated into any curbside or “drive-through” process developed for election day:

- Hand sanitizer or sanitizing spray should be offered to curbside or “drive-through” voters to clean their hands before they vote their ballot or fill out a voter registration form.
- If interactions are needed with a vehicle window rolled down, poll workers should remain six feet from the voter.
- Marking pens used by curbside or “drive-through” voters can be discarded or sanitized after each use.

- Poll workers should be close enough to verify the photo ID but do not have handle it. The photo ID can be verified through the glass of the rolled-up window.
- The ballot should be slid through a window that has been slightly rolled down or “cracked”.
- The voter can slide the ballot back through the “cracked” window into the privacy sleeve held by poll worker. Using a bucket or other method for the voter to drop the ballot into out a crack in the window while maintaining privacy was also suggested as an option.
- Poll workers should transport the voted ballot back from the voter into the voting area in a privacy sleeve, which can be discarded after several uses.
- Any clipboards, writing surfaces or other materials used for this process should be sanitized after each use.
- Touchscreen, or accessible, voting devices used during any “drive-through” voting should be cleaned using 70% isopropyl alcohol wipes on the screen, as per the manufacturer’s specifications.

Please contact us if you have any questions or concerns about curbside voting, drive-through voting or moving a polling location outdoors. Elections Commission Helpdesk: elections@wi.gov or (608)261-2028



Wisconsin Elections Commission

212 East Washington Avenue | Third Floor | P.O. Box 7984 | Madison, WI 53707-7984
(608) 266-8005 | elections@wi.gov | elections.wi.gov

DATE: March 29, 2020

TO: Wisconsin Municipal Clerks
Wisconsin County Clerks
City of Milwaukee Election Commission
Milwaukee County Election Commission

FROM: Meagan Wolfe, Administrator
Wisconsin Elections Commission

SUBJECT: Absentee Witness Signature Requirement Guidance

Over the last week WEC staff and clerks have been contacted by many voters who are concerned about how they will fulfill the absentee ballot witness requirement when voting by mail. Below please find an outline of the requirement, concerns considered, and a proposed process. This process was developed by WEC staff in consultation with a public health official. Please use this guidance to assist voters with how they can engage a witness for their absentee ballot in a way that helps to keep the voter, witness, and clerk safe.

Overview

When voting an absentee ballot by mail each voter must have someone ‘witness’ their return envelope before they mail their ballot back for counting. The witness can be anyone of the voter’s choosing, but they need to be an adult, U.S. citizen. The witness provides their signature and address on the return, certification envelope. This process serves as verification that the voter who requested the ballot is the person who actually received and voted the ballot.

Issue

Voters who are quarantined or self-isolating due to COVID-19 are reporting concern over having someone witness their ballot. Concerns range from finding someone available to serve in this role to concern over quarantined voters having contact with other citizens in order to meet this requirement.

Current Guidance

All voters casting an absentee ballot by mail need to find a witness to observe the process of the voter marking their ballot (not observe the selections made on the ballot) and who can provide the required signature and information on the certificate envelope. There are no exemptions in the law for the witness requirement. All voters, including regular voters, indefinitely confined voters, and military and overseas voters must provide a witness signature. This guidance was affirmed by the Wisconsin Elections Commission at their March 27 meeting. Please note the absentee ballot witness requirement during the COVID-10 pandemic is currently being challenged in federal court, *Gear, et al. v. Knudson, et al.*, 3:20-cv-00278, (Western District of Wisconsin).

Wisconsin Elections Commissioners

Dean Knudson, chair | Marge Bostelmann | Julie M. Glancey | Ann S. Jacobs | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

Where direct interaction is being avoided due to COVID-19, we have suggested the following options:

- A family member, friend or neighbor may watch the voter mark their ballot through a window, open door or other physical barrier.
- Other options for witnesses in these situations include, mail delivery persons, grocery or food delivery persons, and medical professionals.
- Spouses or roommates can always witness each other's ballots.
- This process can be done via video chat like Skype or Facetime with the ballot left outside of the door or in a mailbox for the witness to sign and provide their address after the fact. The ballot could even be mailed to the witness (who observed by video chat) after it is marked and sealed in the envelope so they can sign it.
- Voters may also be able to drive to a meet up spot to observe/witness through their vehicle windows.

Process Developed with Public Health Official Guidance

WEC staff worked with a public health official to conceptualize a process for voters to safely achieve the witness signature requirement for their absentee ballot. **These steps assume the voter is self-isolating or quarantined.** Many of these processes are also outlined in the hospitalized elector memo. The recommended process follows these steps:

1. Voter receives their absentee ballot by mail.
2. Before retrieving their ballot, the voter should wash or sanitize their hands and take extra care not to cough on balloting materials.
3. The voter opens their absentee materials envelope and places the certificate envelope outside their door, in a mailbox, etc. where a person who is providing supplies or services can access it. If possible, the voter should put the certificate envelope and leave it untouched for 24 hours before the witness handles it.
4. When someone arrives to provide the voter with supplies or services, they ask them to be a witness for their ballot. The witness should be prepared to watch the voter mark their ballot through a window or by video chat.
5. Before the voter marks their ballot and before the witness signs the certificate, they should both wash or sanitize their hands and take extra care not to cough on ballot materials.
6. The voter marks their ballot in view of the witness, but with a physical barrier between them or by video chat.
7. The witness signs the absentee certificate envelope and provides their required information. The witness then leaves the signed certificate on the door step, in a mailbox, etc. for the voter to retrieve.
8. The voter washes or sanitizes their hands and then retrieves the signed certificate envelope.
9. The voter takes extra care not to cough on balloting materials and places the marked ballot into the envelope. The voter signs and completes the required fields on the certificate envelope.
10. The voter mails the marked ballot and completed certificate envelope.
11. By the time the clerk receives the ballot any potential contamination will be degraded, and the clerk and poll worker should follow their instructions for processing ballots.

6.87(4)(b)1 Witness Requirement Statute

The absent elector, in the presence of the witness, shall mark the ballot in a manner that will not disclose how the elector's vote is cast. The elector shall then, still in the presence of the witness, fold the ballots so each is separate and so that the elector conceals the markings thereon and deposit them in the proper envelope. If a consolidated ballot under s. [5.655](#) is used, the elector shall fold the ballot so that the elector conceals the markings thereon and deposit the ballot in the proper envelope. If proof of residence under s. [6.34](#) is required and the document enclosed by the elector under this subdivision does not constitute proof of residence under s. [6.34](#), the elector shall also enclose proof of residence under s. [6.34](#) in the envelope. Except as provided in s. [6.34 \(2m\)](#), proof of residence is required if the elector is not a military elector or an overseas elector and the elector registered by mail or by electronic application and has not voted in an election in this state. If the elector requested a ballot by means of facsimile transmission or electronic mail under s. [6.86 \(1\) \(ac\)](#), the elector shall enclose in the envelope a copy of the request which bears an original signature of the elector. The elector may receive assistance under sub. [\(5\)](#). The return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the elector, or delivered in person, to the municipal clerk issuing the ballot or ballots. If the envelope is mailed from a location outside the United States, the elector shall affix sufficient postage unless the ballot qualifies for delivery free of postage under federal law. Failure to return an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more than one marked ballot in a primary or return of a ballot prepared under s. [5.655](#) or a ballot used with an electronic voting system in a primary which is marked for candidates of more than one party invalidates all votes cast by the elector for candidates in the primary.