



August 5, 2020

Dear Governor Abbott, Secretary of State Hughes, Local Voting Officials,

We write to encourage you to do everything in your power to ensure the health and safety of voters as they exercise their civic duty to vote in November. In the weeks following the July 14 runoff Texas saw record numbers of COVID-19 cases. The July 14 runoff elections serve both a model of what can be done well--with significant scaling up for November turn out--and a warning for potential problems heading into the election that is less than three months away.

We ask that you take additional actions ahead of the November election to ensure the largest possible participation given the obvious public health concerns. There is sufficient time to prepare for a successful election in spite of COVID-19 if the State and counties act now. As you respond to the COVID-19 pandemic, please consider the ACLU of Texas as a resource in your work to develop a response plan that protects the health, safety, and civil liberties of all Texans.

First, we thank the Governor for committing to allow early voting to start a week early on October 13th. Providing voters with more options of times, days, and locations to vote will help protect voters and poll-workers, as it allows for smaller gatherings in polling places. We encourage the State to further extend the early voting period to include the weekend directly prior to Election Day. Voters tend to vote in greater concentration closer to Election Day, so having the polls open the weekend before could prove to be a safer way to ensure maximum participation in the general election.

Second, we applaud the availability of additional polling locations and personal protective equipment in some counties during the July 14 runoff. The State should provide more support, including funding, to local election offices to set up additional polling places and curbside voting options to allow for distanced voting, as well as funding for PPE for poll workers and voters. Jurisdictions should avoid consolidating polling places in the November election to prevent crowding at the polls.

Third, we saw closures in Dallas and Bexar counties for the July runoff due to a lack of poll workers. This cannot happen in November. High turnout for the primaries is a projection of high voter turnout for the November general election. Further, the elimination of straight-ticket voting also means that voters will likely take longer to cast

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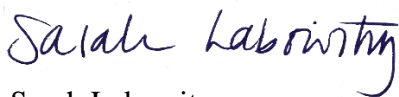
their ballot, and there may be longer lines at polling places. With this knowledge, the State and counties can start preparing now to ensure polling places stay open and are properly staffed. The state should begin recruiting poll workers now and make sure there are excess workers on hand to prevent closures and to ensure that there is sufficient staffing at each polling location to account for the expected higher turnout and increased length of time to cast a ballot.

Fourth, the state should eliminate or significantly reduce the 30-day deadline to register before an election. Voters have been told by both the State and local governments not to leave their homes and many places at which voters would normally register--such as DPS locations--were closed for significant periods of time. Eliminating or significantly reducing the registration cutoff would account for these roadblocks to registration, for meaningful participation. Counties should also identify ways to ease the burden of voter registration during the COVID-19 pandemic, including by mailing out voter registration forms to unregistered residents.

Finally, we urge the Secretary of State and local officials to do everything in your power to ensure that all eligible voters are able to cast their ballot by mail. We saw some cases where eligible voters did not receive their ballots until after Election Day had passed. This is simply unacceptable and results in voter suppression. We encourage you to process requests for ballots in a timely manner given the current pandemic and with the knowledge of the already slowed down mailing system.

We appreciate your attention to the voting rights of all Texans and the important work that will be required to keep Texans safe in the upcoming elections. We are happy to meet in person or by phone to discuss how best to protect civil liberties in your COVID-19 response planning. Please contact Erica Sanchez at esanchez@aclutx.org if we can be of service.

Sincerely,



Sarah Labowitz
Policy & Advocacy Director
American Civil Liberties Union of Texas