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Securing Elections When Crisis Strikes

Elections haven't substantively changed in Missouri in over 30 years and it has a profound effect on how adaptable our elections are in times of crisis management. Election administrators, including county clerks, have extremely limited ability to offer voters choices for casting their ballot. Even in the most serious of circumstances—like an emergency declared by the President of the United States or the Governor of Missouri—current Missouri law does not proactively serve voters.

Elections happen the same way every year: registered voters cast their ballots at assigned polling places around the county on Election Day. Voters that meet a limited list of excuses are able to vote absentee in person or by mail. There are only two election provisions that directly address elections administration in the case of an emergency, such as COVID-19. In one section, the Missouri Secretary of State may provide for the delivery and return of absentee ballots by “facsimile transmission device or system” in cases of a declared emergency. The law doesn't define what a facsimile transmission device or system is.

The second section allows elections to be rescheduled or relocated, but election administrators have to individually petition the courts for that relief. There's no provision for a state-wide disruption of elections, which means there's less likelihood of a uniform response.

It has become clear that these two sections do not address the current challenges brought forth by COVID-19 during the 2020 election year. We hope to work with the Missouri General Assembly, Secretary of State, and Governor to pass legislation before the August and November elections that gives election administrators and voters better options than currently allowed prior to election day in the event of a declared emergency.

It is our view that health directors, emergency management directors, and election administrators should be able work together in the public's best interest to protect our community's health, safety and right to vote. Voters shouldn't have to choose to sacrifice one over another. The only choice a voter should be making is on the ballot they cast. Elections are about the people's voices being heard and we will always fight to protect that opportunity and right.

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