



The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth
Elections Division

Election Advisory #20-01

Regarding Return of Ballots via Secured Drop Box

August 17, 2020

Under Chapter 115 of the Acts of 2020, absentee and early ballots mailed to voters may be returned to the appropriate local election office via secured municipal drop box, where provided.

The purpose of this Advisory is to provide best practices with respect to providing, locating, securing, and emptying such drop boxes. This Advisory includes guidance provided by the Cybersecurity and Infrastructure Security Agency (CISA) Elections Infrastructure Government Coordinating Council and Sector Coordinating Council's Joint COVID Working Group.

PROVIDING DROP BOXES

Each city and town may, at its discretion, choose to provide a drop box for ballot return. When making this decision, keep in mind the following:

- Is your building currently open for the public to enter to hand-deliver ballots?
- How easily can a voter hand-deliver a ballot to your office without coming into close contact with any other person?
- Do you already have a drop box that can be used?
- Can you permanently anchor or attach the drop box, so it cannot be easily removed or tampered with?
- Where would you locate the drop box?
- How frequently will you be able to empty the drop box?
- Will you be able to staff the drop box on and near Election Day?
- How will voters know where to find the drop box?

NO-CONTACT BALLOT RETURN

If your building is not open to the public or could potentially close suddenly before Election Day, it will be important to have some alternate way for voters to hand-deliver their ballots without needing to come into close contact with others.

As Election Day approaches, election officials will be shifting from urging voters to mail their ballots to encouraging voters to hand-deliver their ballots to ensure timely delivery. Many voters are expressing concern about whether the U.S. Postal Service will be able to deliver their ballots in time to be counted and are asking for alternate methods of ballot delivery that will still allow them to self-isolate.

Outdoor drop boxes are not the only option. If your lobby is open to the public and staff is able to monitor the area from a safe distance, you may provide a locked ballot return container in that area for voters to enter and return their ballots.

Voters may also hand-deliver their ballots to early voting locations during early voting hours, but you may want to consider providing drop boxes just inside or outside of the location, so voters do not need to interact with others when returning their ballots. Such drop boxes must be guarded, but a greeter may be the person to guard it.

EXISTING DROP BOXES

Many towns have already utilized existing town drop boxes for ballot delivery for local elections this year. While those drop boxes were very useful for town elections during the height of the pandemic, they may not be large enough for an influx of ballots we expect to receive as we approach November. If you are able, consider acquiring larger drop boxes specific for ballot delivery.

SECURING YOUR DROP BOX

If you choose to provide an outdoor drop box, you will need to make sure that your drop box is made of a durable, weather-proof material.

The drop box must be locked and you must have a policy in place which answers the following questions:

- Who has access to the drop box?
- Who is responsible for emptying the drop box?
- If the drop box is used for multiple offices, who is responsible for sorting and delivering any election mail?
- How frequently will the drop box be checked and emptied?
- Who is going to staff the drop box on Election Day?

DROP BOX LOCATION

Any drop boxes provided for ballot return should be located on municipal property or other property that is easily accessed and monitored by election officials. The ideal location for a drop

box is just outside or inside your city/town hall, in an area in full view of the public. If your city/town hall is monitored by surveillance video, be sure to locate the drop box within view of a surveillance camera.

You may choose to provide multiple drop boxes, but all drop boxes must be able to be secured and monitored, to ensure ballot security.

During the early voting period, consider providing indoor locked drop boxes for ballot return. If you do not provide such a drop box, voters returning their ballots to an early voting location will need to come inside to interact with others, which is what many of them are seeking to avoid by using a mail-in ballot. If you can provide a secured municipal drop box near the entrance of your early voting location, then it will allow voters to drop off their ballots without coming in contact with others. Consider using a spare, locked ballot box for this purpose.

Because ballots received on Election Day will need to be checked in at the local election office and entered into VRIS before being counted at the polling places, drop boxes should not be located in polling places on Election Day. Instead, poll workers must be trained to send all voters attempting to return a ballot to your office, or vote in person if they are returning their own ballot.

EMPTYING DROP BOXES

Drop boxes will need to be emptied regularly, and at least once per day on the days your office is open. As Election Day approaches, depending on the size of your drop box, you may need to ensure the drop box is emptied several times per day.

If you are not the person emptying the drop box, make sure there is a clear chain of custody for all ballots. It is advised that you maintain a log of the date and time the drop box is emptied, by whom, and how many ballots were inside each time.

ELECTION DAY

If you do provide a drop box, they should be staffed throughout Election Day, if possible. The drop box will need to be emptied frequently, so ballots can be checked into VRIS and sent to the polling places to be counted.

An election official must be guarding the drop box at the close of polls on Election Day, so that the box can be emptied precisely at 8 p.m. For the State Primary, all on-time ballots will need to be counted in the local election office after voter lists have been returned or sent to the polls to be counted and added to the tally. Similarly, for the State Election, ballots will need to be counted at the polling place, counted in your office after the voter lists have been returned to you, or counted after Election Day, along with ballots postmarked by November 3rd and received by November 6th.

PUBLICIZING LOCATIONS

If you are going to have a drop box or multiple drop boxes, be sure to publicize the locations in as many places as possible. Post the information on your website, in local papers, and on outgoing messages on your phone.

Also make sure that any drop box provided for ballot return is clearly labeled as such. If you are using a drop box that you did not purchase from an election supply vendor, you will need to attach weather-proof signage to the box indicating that it is for ballot return. Be sure to provide signage in the same languages as your ballots, and any additional languages you believe are necessary.

The Elections Division will be publicizing the location of your drop boxes on our website. **You must also notify the Elections Division of any ballot return drop boxes you will be using.** A survey link has been provided to you to provide information on the locations of any drop boxes you currently have. For any updates after you respond to that survey, please email elections@sec.state.ma.us.

QUESTIONS?

Contact the Elections Division at 617-727-2828 or elections@sec.state.ma.us.