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DEPARTMENT *of* ELECTIONS

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## OFFICIAL GUIDANCE

DATE: September 9, 2020

RE: Masks Requirements of Officers of Election and Voters

The following guidance clarifies information regarding safety and voting for this November's General Election.

### **Ensure all election officials are aware of your locality's safety procedures.**

In an effort to support Governor Northam's public safety executive order, officers of election should wear masks and maintain social distancing while in the voting facility. Because officers of election are locality employees, localities can require masks. However, be aware of any situations where an officer of election may have a medical condition that prevents them from wearing a mask. If this situation arises, we recommend contacting your local counsel.

### **Can we require a voter to wear a mask?**

No, we are encouraging voters to bring masks if they must show up in-person to vote. However, if someone is not wearing a face covering you may not turn him or her away. You may offer the voter curbside voting or offer them a face covering if you have any extra available. You cannot turn a voter away because they refuse to use a mask.

### **Can we require a voter to have their temperature checked before entering the polling place?**

If your locality requests temperature checks of voters prior to entry and a voter chooses to not have their temperature checked and has a temperature equal to or higher than 100.4° ([per CDC Guidelines](#)), you can provide the voter the option of curbside voting. However, you cannot turn a voter away because they refuse to submit to a temperature check or if their temperature measures higher than usual. You may also want to consult your local health department on who is qualified to conduct such temperature checks.

### **Can an officer of election remove their mask while they are in the voting facility?**

In the event a voter has difficulty hearing or needs to be able to lip-read in order to communicate, the election official may pull down their mask to communicate with the voter.

### **What if a voter is displaying symptoms of illness?**

You can offer them curbside voting to ensure they stay outside. If a voter is symptomatic and insists on voting in the polling place, you cannot turn them away.



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**Can we deny entry to a voter who wants to vote in person?**

No. A voter may insist on voting in-person. Your election official cannot turn away a voter.

**For each precinct, remember to post clear signage for the following:**

- Public health measures such as social distancing and wearing masks at entrances and throughout the voting facility for voters and election officers. As practicable as possible your facility should adhere to social distancing guidelines.
- Traffic flow through facilities to limit voter interaction with one another.
- Curbside voting including instructions and parking.
- Ballot drop off stations to ensure that voters who wish to drop-off their ballots do not wait in line with in-person voters.
- Per Voting Rights Act of 1965, if your locality is considered a “covered locality” ensure that signage is available in all required languages.

**Other Health Resources:**

[The Healthy Polling Place Guidebook](#)

- This handbook draws on recommendations from CDC and examples from the primaries to demonstrate tactics and techniques for keeping voting locations healthy.

[Working Elections During COVID-19](#)

- This is a fully customizable training module meant to augment your existing election worker training and is based on CDC guidance, as well as experiences from the primaries.

[Virginia Medical Reserve Corps \(MRC\)](#)

- MRC can provide infection prevention ambassadors on Election Day. They also offer trainings for officers of election prior to Election Day.