

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MI FAMILIA VOTA, TEXAS STATE)
CONFERENCE OF THE NATIONAL)
ASSOCIATION FOR THE)
ADVANCEMENT OF COLORED)
PEOPLE, MICAELA RODRIGUEZ and)
GUADALUPE TORRES)

Plaintiffs)

vs.)

GREG ABBOTT, Governor of Texas;)
RUTH HUGHS, Texas Secretary of State,)

Defendants.)

No. 5:20-cv-00830

DECLARATION OF KELLY M.
DERMODY

DECLARATION OF KELLY M. DERMODY

I, KELLY M. DERMODY, do hereby say under oath the following:

1. I am an attorney licensed to practice in the State of California and before this Court. I am a partner in the firm of Lieff Cabraser Heimann & Bernstein, LLP (“LCHB”), and counsel to Plaintiffs in this case. I have personal knowledge of the facts set forth herein and could testify to them if called as a witness.

2. Attached as Exhibit 1 is a true and correct copy of a printout of the CDC, *Cases in the U.S.*, COVID-19 data tracker (updated Aug. 26, 2020).

3. Attached as Exhibit 2 is a true and correct copy of a printout of Texas Dept. of State Health Servs., *Dashboard COVID-19 Data Tracker* (updated Aug. 25, 2020)..

4. Attached as Exhibit 3 is a true and correct copy of a printout of CDC, *Covid Data Tracker* (updated Aug. 26, 2020).

5. Attached as Exhibit 4 is a true and correct copy of a printout of the webpage CDC, *People Who Are at Increased Risk for Severe Illness* (updated June 25, 2020; accessed Aug. 24, 2020).

6. Attached as Exhibit 5 is a true and correct copy of a printout of the webpage CDC, *People Experiencing Homelessness* (updated Aug. 10, 2020; accessed Aug. 24, 2020).

7. Attached as Exhibit 6 is a true and correct copy of a printout of Richard Oppel Jr. et al, *The Fullest Look Yet at the Racial Inequity of Coronavirus*, N.Y. Times, July 5, 2020.

8. Attached as Exhibit 7 is a true and correct copy of a printout of Stephanie Adeline, *In Large Texas Cities, Access To Coronavirus Testing May Depend On Where You Live*, NPR, May 27, 2020.

9. Attached as Exhibit 8 is a true and correct copy of a printout of Soo Rin Kim, *Which Cities Have the Biggest Racial Gaps in COVID-19 Testing Access?*, FiveThirtyEight, July 22, 2020.

10. Attached as Exhibit 9 is a true and correct copy of a printout of the webpage CDC, *Health Equity Considerations and Racial and Ethnic Minority Groups*, (updated July 24, 2020; accessed Aug. 24, 2020).

11. Attached as Exhibit 10 is a true and correct copy of a printout of Sherita Hill Golden, *Coronavirus in African Americans and Other People of Color*, John Hopkins Medicine, Apr. 20, 2020.

12. Attached as Exhibit 11 is a true and correct copy of a printout the webpage U.S. Census Bureau, *Poverty Status in the Past 12 Months* (accessed Aug. 24, 2020).

13. Attached as Exhibit 12 is a true and correct copy of a printout of Emma Platoff & Carla Astudillo, *Across Texas and the nation, the novel coronavirus is deadlier for people of color*, Texas Tribune, July 30, 2020.

14. Attached as Exhibit 13 is a true and correct copy of a printout of Adam Clark Estes, *What's wrong with the mail*, Vox, Aug. 18, 2020.

15. Attached as Exhibit 14 is a true and correct copy of a printout of the Ga. Inst. of Tech., *COVID-19 Event Risk Assessment Planning Tool* (accessed Aug. 24, 2020).

16. Attached as Exhibit 15 is a true and correct copy of Leadership Conf. Educ. Fund, *Democracy Diverted: Polling Place Closures and the Right to Vote* (Sept. 2019).

17. Attached as Exhibit 16 is a true and correct copy of a printout of Richard Salame, *Texas Closes Hundreds of Polling Sites, Making It Harder for Minorities to Vote*, The Guardian, Mar. 2, 2020.

18. Attached as Exhibit 17 is a true and correct copy of Governor Greg Abbott's proclamation dated July 27, 2020.

19. Attached as Exhibit 18 is a true and correct copy of a printout of Dominion Voting, *Customer Notification: COVID-19 ("Coronavirus") Information* (Mar. 9, 2020).

20. Attached as Exhibit 19 is a true and correct copy of a printout of Election Sys. & Software, *Best Practices for COVID-19* (Mar. 2020).

21. Attached as Exhibit 20 is a true and correct copy of a printout of Hart InterCivic, *Hart Equipment Cleaning Recommendations* (accessed Aug. 26, 2020).

22. Attached as Exhibit 21 is a true and correct copy of a printout of the Tx. Sec'y of State, Election Advisory No. 2020-14 (Apr. 6, 2020).

23. Attached as Exhibit 22 is a true and correct copy of a printout of the Tx. Sec'y of State, Election Advisory No. 2020-19 (June 18, 2020).


24. Attached as Exhibit 23 is a true and correct copy of a printout of Alexa Ura, *Two Major Texas Counties are Trimming Polling Locations as Workers Pull Out Over Coronavirus*, Texas Tribune, July 9, 2020.

25. Attached as Exhibit 24 is a true and correct copy of the Texas Dept. of Health Servs, *Coronavirus Disease 2019 (COVID-19)* (accessed Aug. 26, 2020).

26. Attached as Exhibit 25 is a true and correct copy of a printout of *Texas Reports Less Than 5,000 People Hospitalized With COVID-19 for the First Time Since June*, Texas Tribune (updated Aug. 26, 2020).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on the 26th day of August 2020.



Kelly M. Dermody

EXHIBIT 1

Cases in the U.S.

Cases in the US

Updated August 26, 2020

[Print](#)

TOTAL CASES
5,752,653
37,086 New Cases*

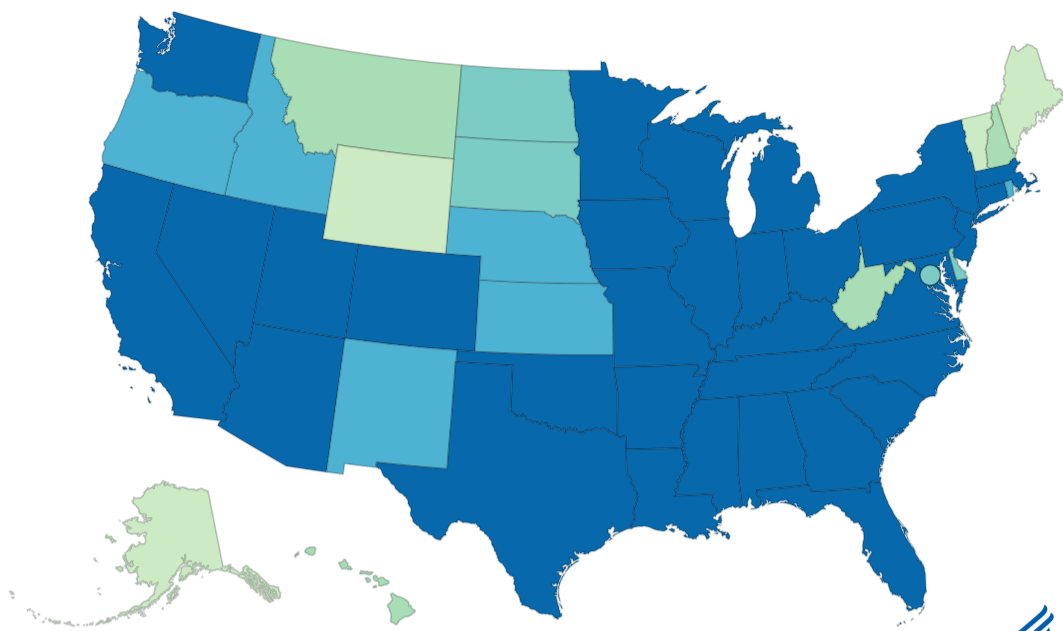
TOTAL DEATHS
177,759
1,142 New Deaths*



This page is updated daily based on data confirmed at 4:00pm ET the day before.

Cases by Jurisdiction

This map shows COVID-19 cases reported by U.S. states, the District of Columbia, New York City, and other U.S.-affiliated jurisdictions. Hover over the maps to see the number of cases reported in each jurisdiction. To go to a jurisdiction's health department website, click on the jurisdiction on the map.



Reported Cases

- 0 to 1,000
- 1,001 to 5,000
- 5,001 to 10,000
- 10,001 to 20,000
- 20,001 to 40,000
- 40,001 or more

- AS
- GU
- MH
- FM
- MP
- PW
- PR
- VI

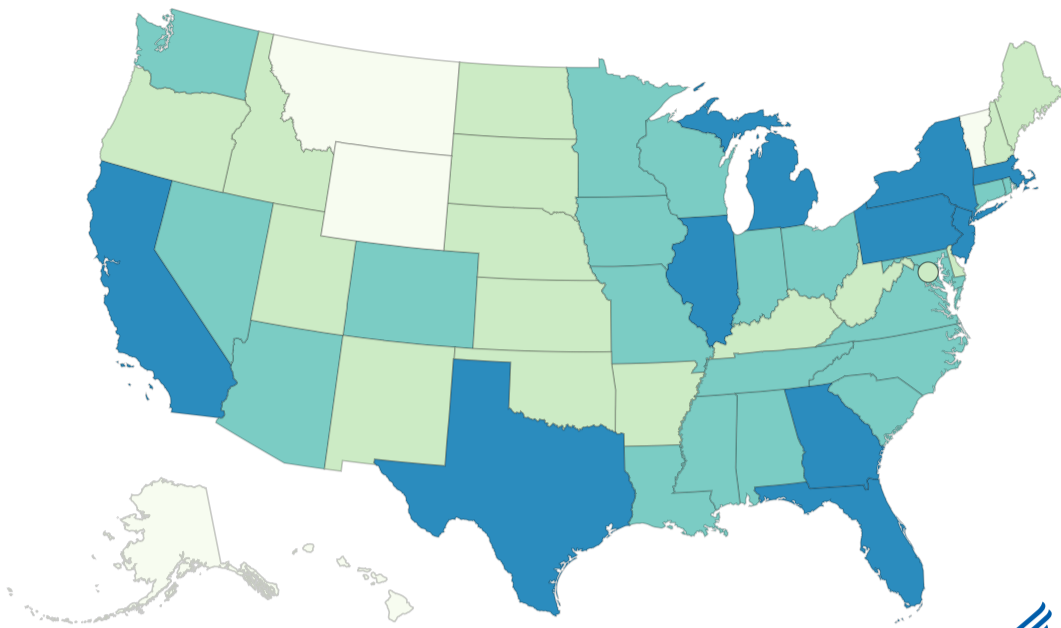


Jurisdictions

[Add U.S. Map to Your Website](#)

Deaths by Jurisdiction

This map shows COVID-19 cases reported by U.S. states, the District of Columbia, New York City, and other U.S.-affiliated jurisdictions. Hover over the maps to see the number of deaths reported in each jurisdiction. To go to a jurisdiction's health department website, click on the jurisdiction on the map.



Reported Deaths

0 to 100 101 to 1,000

1,001 to 5,000 5,001 or more

- AS
- GU
- MH
- FM
- MP
- PW
- PR
- VI



Jurisdictions

Add U.S. Map to Your Website

Cases & Deaths by County

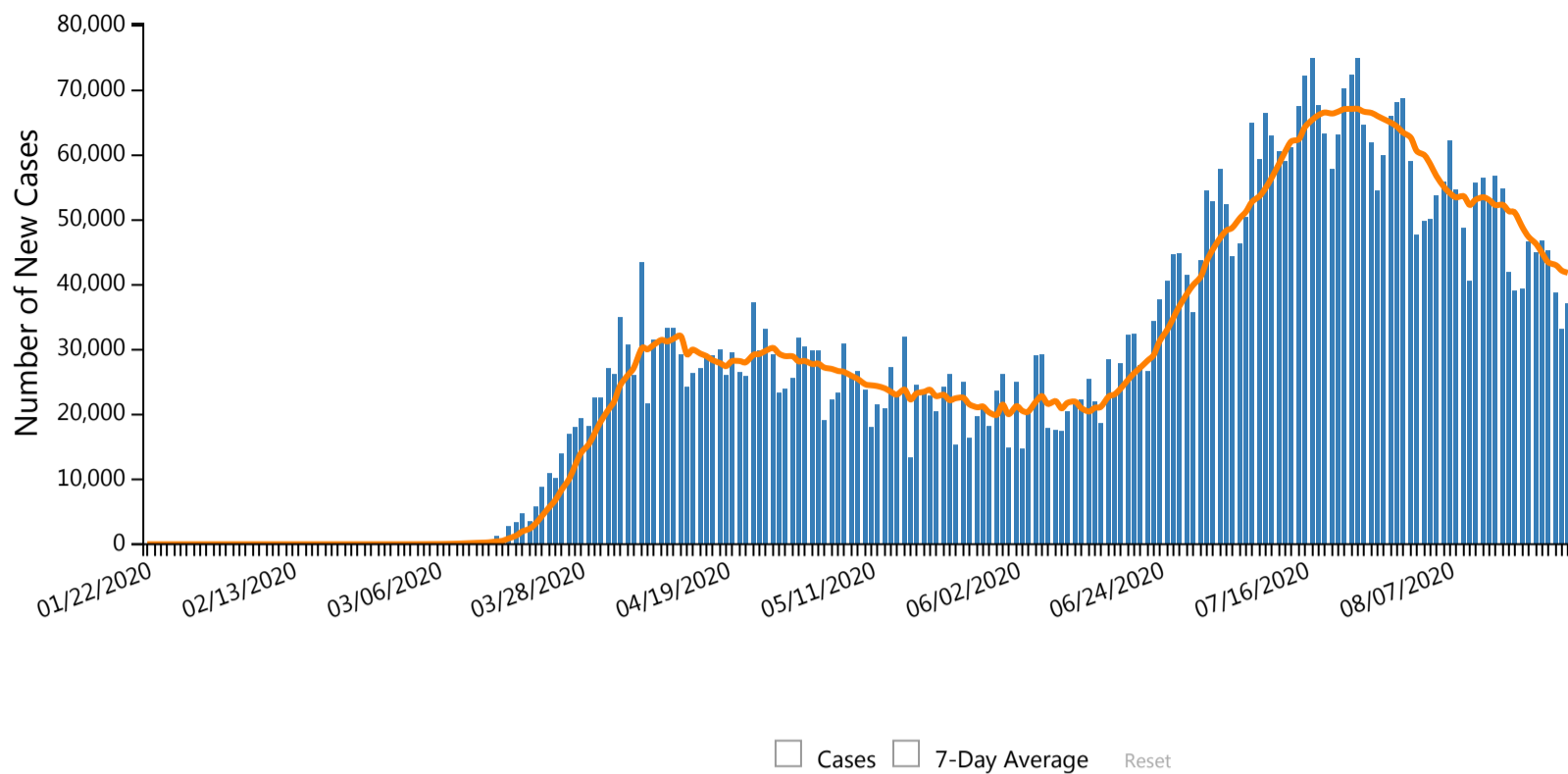
Select a state to view the number of cases and deaths by county. This data is courtesy of [USAFacts.org](https://usafacts.org)

Select a State ▼

View County Data

New Cases by Day

The following chart shows the number of new COVID-19 cases reported each day in the U.S. since the beginning of the outbreak. Hover over the bars to see the number of new cases by day.



The 7-Day moving average of new cases (current day + 6 preceding days / 7) was calculated to smooth expected variations in daily counts.

[View Data](#) +

Cases & Deaths among Healthcare Personnel

Data were collected from 4,355,851 people, but healthcare personnel status was only available for 1,012,298 (23.2%) people. For the 144,799 cases of COVID-19 among healthcare personnel, death status was only available for 101,839 (70.3%).

<p>CASES AMONG HCP</p> <p style="font-size: 24px; color: #0070C0;">144,799</p>	<p>DEATHS AMONG HCP</p> <p style="font-size: 24px; color: #0070C0;">661</p>
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Previous Data

CDC has moved the following information to the [Previous U.S. COVID-19 Case Data](#) page.

- [Level of community transmission by jurisdiction](#) — last updated May 18, 2020
- [Total number of cases by day](#) — last updated April 28, 2020
- [Number of cases by source of exposure](#) — last updated April 16, 2020
- [Number of cases from Wuhan, China and the Diamond Princess cruise](#) — last updated April 16, 2020
- [Number of cases by illness start date](#) — last updated April 15, 2020

More Information

[COVIDView – A Weekly Surveillance Summary of U.S. COVID-19 Activity](#)

[Previous U.S. COVID-19 Case Data](#)

[FAQ: COVID-19 Data and Surveillance](#)

Testing Data in the U.S.

Health Departments

Last Updated Aug. 25, 2020

EXHIBIT 2



Texas Department of State Health Services

Texas Case Counts

COVID-19

CORONAVIRUS DISEASE 2019

Molecular Tests
4,724,559
as of 8/24/2020

A backlog of 171 confirmed cases were included in the statewide total but excluded from statewide and **Montgomery** county new confirmed cases (36).

A backlog of 84 confirmed

586,730
Confirmed Cases

11,576
Fatalities

Daily New Cases
6,091
8/25/2020

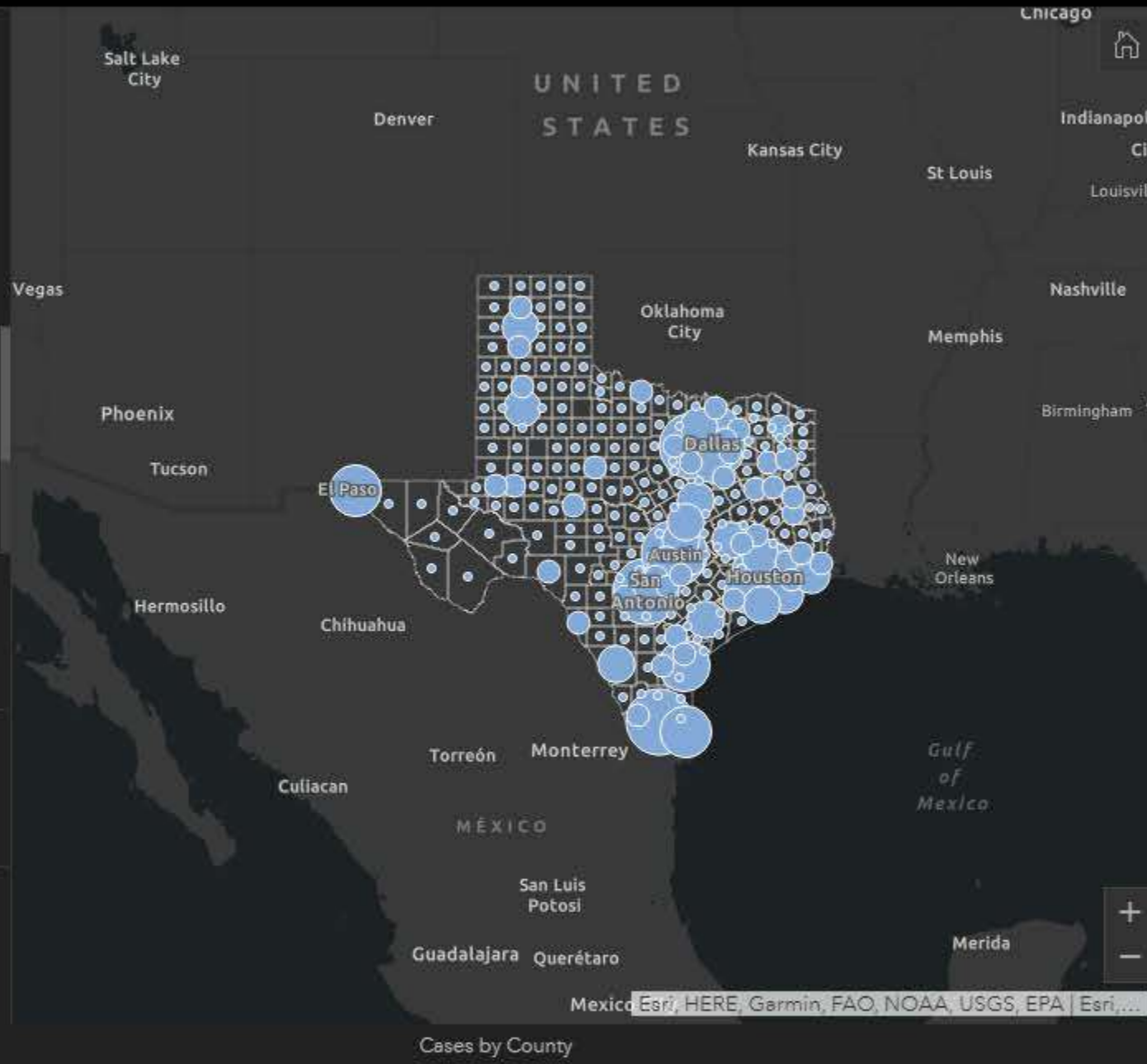
Newly Reported Fatalities
181
8/25/2020

Estimated*

Estimated*

466,550
Recoveries

108,604
Active Cases



251 of 254
Counties Reporting Cases

- Harris County**
99,290
- Dallas County**
69,086
- Tarrant County**
37,924
- Bexar County**
37,060
- Travis County**
25,890
- Hidalgo County**
25,169
- Cameron County**
19,862
- El Paso County**
19,622
- Fort Bend County**
14,640
- Nueces County**

Disclaimer: All data are provisional and subject to change. Probable cases are not included in the total case numbers. This dashboard will be updated daily by 4:00PM.

[COVID-19 Test and Hospital Data](#)

Last Updated
8/25/2020 4:50PM

EXHIBIT 3



CDC COVID Data Tracker

Explore and understand coronavirus disease (COVID-19)
 Maps, charts, and data provided by the Centers for Disease Control and Prevention

Case Trends ▾	Testing	Serology Surveillance	Trends in ED Visits	Mobility
Underlying Medical Conditions	Societal Impact	Learn More		

Case Trends > Cases

United States COVID-19 Cases and Deaths by State

Reported to the CDC since January 21, 2020

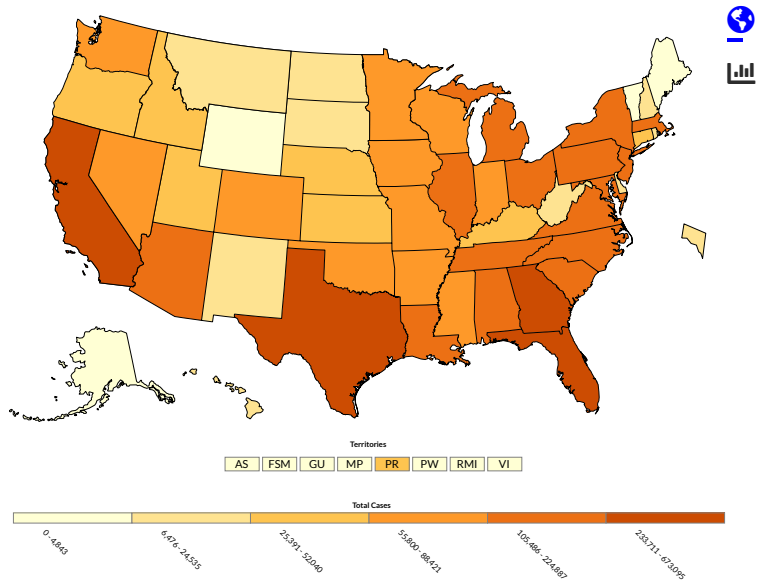
USA
5,752,653
 TOTAL CASES
 CDC | Updated: Aug 26 2020 12:21PM

USA
177,759
 TOTAL DEATHS
 CDC | Updated: Aug 26 2020 12:21PM

USA
1,755
 Cases per 100,000 People
 CDC | Updated: Aug 26 2020 12:21PM

Total Cases Cases in Last 7 Days
Cases per 100,000 Total Deaths
 Deaths per 100,000

Total Number of COVID-19 Cases in the US Reported to the CDC, by State/Territory



Total Cases by State/Territory

State/Territory	Total Cases	Confirmed Probable	
		Confirmed	Probable
California	673,095	N/A	N/A
Florida	599,176	N/A	N/A
Texas	586,730	N/A	N/A
Georgia	258,354	N/A	N/A

CDC | Updated: Aug 26 2020 12:21PM

Data Sources, References & Notes: Total cases are based on aggregate counts of COVID-19 cases reported by state and territorial jurisdictions to the Centers for Disease Control and Prevention (CDC) since January 21, 2020, with the exception of persons repatriated to the United States from Wuhan, China, and Japan. The numbers are confirmed and probable COVID-19 cases as reported by U.S. states, U.S. territories, New York City, and the District of Columbia from the previous day. *Counts for New York City and New York state are shown separately; data for New York State show total

cases and deaths for the State excluding data for NYC. When not available to CDC this is annotated by N/A. Rates are calculated using U.S. Census Bureau, 2018 American Community Survey 1-year estimates and are shown as cases/100,000 people. The map shows total cases per state, new cases in the last 7 days per state, and the rate (cases/100,000) per state. The 7-day moving average of new cases (current day + 6 preceding days / 7) was calculated to smooth expected variations in daily counts. Demographic data for deaths is based on a subset of cases where case-level data is available. Case numbers reported on other websites may differ from what is posted on CDC's website because CDC's overall case numbers are validated through a confirmation process with each jurisdiction. Differences between reporting jurisdictions and CDC's website may occur due to the timing of reporting and website updates. The process used for finding and confirming cases displayed by other sites may differ.

HAVE QUESTIONS?  Visit CDC-INFO  Call 800-232-4636  Email CDC-INFO

[View and Download COVID-19 Case Surveillance Public Use Data](#)

EXHIBIT 4

MENU >



People Who Are at Increased Risk for Severe Illness

People at Increased Risk of Severe Illness

Updated June 25, 2020

[Print](#)

Everyone is at risk for getting COVID-19 if they are exposed to the virus. Some people are more likely than others to become severely ill, which means that they may require hospitalization, intensive care, or a ventilator to help them breathe, or they may even die. We learn more about COVID-19 every day, and as more information becomes available, CDC will continue to update and share information about risk for severe illness.

People at increased risk for severe illness

[Older Adults](#)

[People with Underlying Medical Conditions](#)

[COVID-19: Are You at Higher Risk for Severe Illness?](#)

Additional Resources

[ASL Video Series: COVID-19: Are You at Higher Risk for Severe Illness?](#)

[Learn how you can help protect yourself if you are at higher risk of severe illness from COVID-19](#) 

Last Updated June 25, 2020

EXHIBIT 5

Coronavirus Disease 2019 (COVID-19)

[MENU >](#)


People Experiencing Homelessness People Experiencing Homelessness

Updated Aug. 10, 2020

[Print](#)

People who are homeless are at risk of COVID-19.

Homeless services are often provided in congregate settings, which could facilitate the spread of infection. Because many people who are homeless are older adults or have underlying medical conditions, **they may also be at increased risk for severe illness.**

Health departments and healthcare facilities should be aware that people who are homeless are a particularly vulnerable group. If possible, identifying non-congregate settings where those at increased risk can stay may help **protect them from COVID-19.**

How people experiencing homelessness can protect themselves

Many of the [recommendations to prevent COVID-19](#) may be difficult for a person experiencing homelessness to do. Although it may not be possible to avoid certain crowded locations (such as shelters), people who are homeless should:

- Try to avoid other crowded public settings.
- If using public transportation, follow the CDC guidance on how to [protect yourself when using transportation](#), try to travel during less busy times, and [clean your hands](#) as soon as possible after their trip.
- If possible, use take-away options for food.
- Maintain a distance of 6 feet (about two arms' length) from other people.
- Wash their hands with soap and water for at least 20 seconds as often as possible, and cover their coughs and sneezes.

If people experiencing homelessness have symptoms

Any person experiencing homelessness with [symptoms consistent with COVID-19](#) (fever, cough, or shortness of breath) should alert their service providers (such as case managers, shelter staff, and other care providers). These staff will help the individual understand how to isolate themselves and identify options for medical care as needed.

How to get tested for COVID-19

If they meet criteria for testing, people experiencing homelessness will [access COVID-19 testing through a healthcare provider.](#)

Local public health and healthcare facilities need to determine the best location for this testing in coordination with homeless

healthcare clinics and street medicine clinics.

Anyone sick with COVID-19 should stay isolated

Those with suspected or confirmed COVID-19 should stay in a place where they can **best be isolated from other people** to prevent spreading the infection. Local health departments, housing authorities, homeless service systems, and healthcare facilities should plan to identify locations to isolate those with known or suspected COVID-19 until they meet the [criteria to end isolation](#).

Isolation housing could be units designated by local authorities or shelters determined to have capacity to sufficiently isolate these people. If no other options are available, homeless service providers should plan for how they can help people isolate themselves while efforts are underway to provide additional support.

Donations of food and clothing to homeless service providers

Homeless service providers can accept donations of food and clothing during community spread of COVID-19, but [general infection control precautions](#) should be taken. Request that donors not donate if they are sick.

- **Set up donation drop-off points to encourage social distancing** between shelter workers and those donating.
- Launder donated clothing, sheets, towels, or other fabrics on high heat settings, and disinfect items that are nonporous, such as items made of plastic.
- Food donations should be shelf-stable, and shelter staff should take usual [food-related infection prevention precautions](#) [↗](#).

Symptom screening of clients at homeless shelters

Homeless shelters can [screen clients for symptoms](#) of respiratory infections.

Clients who have symptoms may or may not have COVID-19. Make sure they have a separate place they can safely stay within the shelter or at an alternate site in coordination with local health authorities. An on-site nurse or other clinical staff can help with clinical assessments.

- Provide anyone who presents with symptoms with a mask.
- Facilitate access to non-urgent medical care as needed.
- Use standard facility procedures to determine whether a client needs immediate medical attention. Emergency signs include:
 - Trouble breathing
 - Persistent pain or pressure in the chest
 - New confusion or inability to arouse
 - Bluish lips or face

Notify the designated medical facility and personnel to transfer clients that the client might have COVID-19.


Keeping open homeless shelters and encampments

Homeless shelters serve a critical function in our communities. **Shelters should stay open** unless homeless service providers, health departments, and housing authorities have determined together that a shelter needs to close.

Connecting people to stable housing should continue to be a priority.

- However, if individual housing options are not available, allow people who are living in encampments to remain where they are.
- Encourage people living in encampments to **increase space between people and provide hygiene resources**.

More details:

- [Interim Guidance for Homeless Service Providers](#)
- [Checklist for Homeless Service Providers During Community Re-opening](#)
- [COVID-19 Infection Control Inventory and Planning \(ICIP\) Tool for Homeless Service Providers](#)  [PDF – 426 KB]

Printable Resources for People Experiencing Homelessness

[How to Protect Others from COVID-19 in Shelters: During Meals](#)  [PDF – 1 page]

[How to Protect Others from COVID-19 in Shelters: In General Sleeping Areas](#)  [PDF – 1 page]

[How to Protect Others from COVID-19 in Shelters: When to Wear a Mask](#)  [PDF – 1 page]

[What to Do When Sick](#)  [PDF – 1 page]

[Social Distancing](#)  [PDF – 1 page]

[Symptoms](#)  [PDF – 1 page]

[How to Help Take Care of Someone Who is Sick](#)  [PDF – 1 page]

[How to Protect Yourself](#)  [PDF – 1 page]

[Youth Experiencing Homelessness](#)

Last Updated Aug. 10, 2020

EXHIBIT 6

Coronavirus cases per 10,000 people

White	23	
All	38	
Black		62
Latino		73

The Fullest Look Yet at the Racial Inequity of Coronavirus

By Richard A. Oppel Jr., Robert Gebeloff, K.K. Rebecca Lai, Will Wright and Mitch Smith July 5, 2020

Teresa and Marvin Bradley can't say for sure how they got the coronavirus. Maybe Ms. Bradley, a Michigan nurse, brought it from her hospital. Maybe it came from a visiting relative. Maybe it was something else entirely.

What is certain — according to new federal data that provides the most comprehensive look to date on nearly 1.5 million coronavirus patients in America — is that the Bradleys are not outliers.

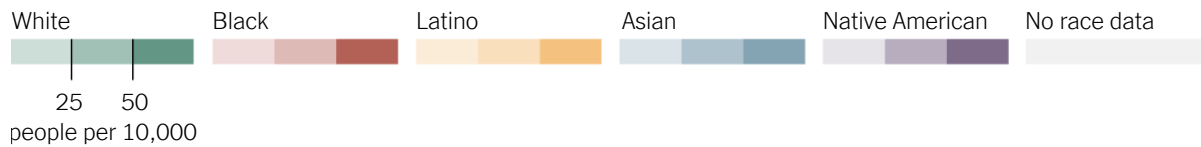
Racial disparities in who contracts the virus have played out in big cities like Milwaukee and New York, but also in smaller metropolitan areas like Grand Rapids, Mich., where the Bradleys live. Those inequities became painfully apparent when Ms. Bradley, who is Black, was wheeled through the emergency room.

“Everybody in there was African-American,” she said. “Everybody was.”

Early numbers had shown that Black and Latino people were being harmed by the virus at higher rates. But the new federal data — made available after The New York Times sued the Centers for Disease Control and Prevention — reveals a clearer and more complete picture: Black and Latino people have been

disproportionately affected by the coronavirus in a widespread manner that spans the country, throughout hundreds of counties in urban, suburban and rural areas, and across all age groups.

Race or ethnicity with the highest coronavirus rate in each county



Source: Centers for Disease Control and Prevention | Note: Data is through May 28 and includes only cases for which the race/ethnicity and home county of the infected person was known. Only groups that make up at least 1 percent of a county's population are considered in determining the highlight color on the map. Sparsely populated areas in counties are not highlighted. The C.D.C. data included race/ethnicity information, but no county location, for infected people in eight additional states: Hawaii, Maryland, Missouri, Nebraska, New Hampshire, New Mexico, Texas and Vermont.

Latino and African-American residents of the United States have been three times as likely to become infected as their white neighbors, according to the new data, which provides detailed characteristics of 640,000 infections detected in nearly 1,000 U.S. counties. And Black and Latino people have been nearly twice as likely to die from the virus as white people, the data shows.

Rate of Black and Latino coronavirus cases, compared with white cases

Source: Centers for Disease Control and Prevention | Note: Data is through May 28.

The disparities persist across state lines and regions. They exist in rural towns on the Great Plains, in suburban counties, like Fairfax County, Va., and in many of the country's biggest cities.

“Systemic racism doesn’t just evidence itself in the criminal justice system,” said Quinton Lucas, who is the third Black mayor of Kansas City, Mo., which is in a state where 40 percent of those infected are Black or Latino even though those groups make up just 16 percent of the state’s population. “It’s something that we’re seeing taking lives in not just urban America, but rural America, and all types of parts where, frankly, people deserve an equal opportunity to live — to get health care, to get testing, to get tracing.”

The data also showed several pockets of disparity involving Native American people. In much of Arizona and in several other counties, they were far more likely to become infected than white people. For people who are Asian, the disparities were generally not as large, though they were 1.3 times as likely as their white neighbors to become infected.

The new federal data, which is a major component of the agency's disease surveillance efforts, is far from complete. Not only is race and ethnicity information missing from more than half the cases, but so are other epidemiologically important clues — such as how the person might have become infected.

And because it includes only cases through the end of May, it doesn't reflect the recent surge in infections that has gripped parts of the nation.

Still, the data is more comprehensive than anything the agency has released to date, and The Times was able to analyze the racial disparity in infection rates across 974 counties representing more than half the U.S. population, a far more extensive survey than was previously possible.

Disparities in the suburbs

For the Bradleys, both in their early 60s, the symptoms didn't seem like much at first. A tickle at the back of the throat.

But soon came fevers and trouble breathing, and when the pair went to the hospital, they were separated. Ms. Bradley was admitted while Mr. Bradley was sent home. He said he felt too sick to leave, but that he had no choice. When he got home, he felt alone and uncertain about how to treat the illness.

Teresa Bradley, 60, and her husband, Marvin Bradley, 61, both had Covid-19 earlier this year. Elaine Cromie for The New York Times

It took weeks, but eventually they both recovered. When Mr. Bradley returned to work in the engineering department of a factory several weeks later, a white co-worker told Mr. Bradley that he was the only person he knew who contracted the virus.

By contrast, Mr. Bradley said he knew quite a few people who had

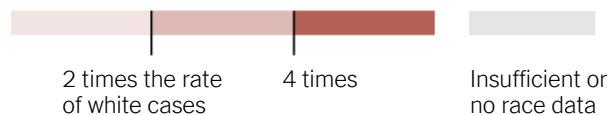
gotten sick. A few of them have died.

“We’re most vulnerable to this thing,” Mr. Bradley said.

In Kent County, which includes Grand Rapids and its suburbs, Black and Latino residents account for 63 percent of infections, though they make up just 20 percent of the county’s population. Public health officials and elected leaders in Michigan said there was no clear reason Black and Latino people in Kent County were even more adversely affected than in other parts of the country.

Among the 249 counties with at least 5,000 Black residents for which The Times obtained detailed data, the infection rate for African-American residents is higher than the rate for white residents in all but 14 of those counties. Similarly, for the 206 counties with at least 5,000 Latino residents analyzed by The Times, 178 have higher infection rates for Latino residents than for white residents.

Coronavirus cases per 10,000 Black residents



Source: Centers for Disease Control and Prevention | Notes: Map shows counties that have more than 5,000 Black people, that have more than 50 cases and that have case data for both Black and white residents. Sparsely populated areas in counties are not highlighted. Data is through May 28.

“As an African-American woman, it’s just such an emotional toll,” said Teresa Branson, the deputy administrative health officer in Kent County, whose agency has coordinated with Black pastors and ramped up testing in hard-hit neighborhoods.

Experts point to circumstances that have made Black and Latino people more likely than white people to be exposed to the virus: Many of them have front-line jobs that keep them from working at home; rely on public transportation; or live in cramped apartments or multigenerational homes.

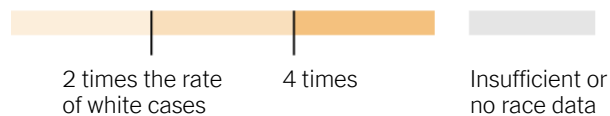
“You literally can’t isolate with one bathroom,” said Lt. Gov. Garlin Gilchrist II, who leads Michigan’s task force on coronavirus racial disparities.

‘We just have to keep working’

Latino people have also been infected at a jarringly disparate rate compared with white people. One of the most alarming hot spots is also one of the wealthiest: Fairfax County, just outside of Washington, D.C.

Three times as many white people live there as Latinos. Yet through the end of May, four times as many Latino residents had tested positive for the virus, according to the C.D.C. data.

Coronavirus cases per 10,000 Latinos



Source: Centers for Disease Control and Prevention | Notes: Map shows counties that have more than 5,000 Latino residents, that have more than 50 cases and that have case data for both Latino and white residents. Sparsely populated areas in counties are not highlighted. Data is through May 28.

With the median household income in Fairfax twice the national average of about \$60,000, housing is expensive, leaving those with modest incomes piling into apartments, where social distancing is an impossibility. In 2017, it took an annual income of almost \$64,000 to afford a typical one-bedroom apartment, according to county data. And many have had to keep commuting to jobs.

Diana, who is 26 and did not want her last name used out of fear for her husband’s job, said her husband got sick at a construction site in April. She and her brother, who also works construction, soon fell ill, too. With three children between them, the six family members live in a two-bedroom apartment.

Diana, who was born in the United States but moved to Guatemala with her parents as a small child before returning to this country five years ago, is still battling symptoms. “We have to go out to work,” she said. “We have to pay our rent. We have to pay our utilities. We just have to keep working.”

At Cumore Clinic, an interfaith free clinic serving low-income adults in Fairfax, about half of the 79 Latino patients who tested for the virus have been positive.

“This is a very wealthy county, but their needs are invisible,” said Terry O’Hara Lavoie, a co-founder of the clinic. The risk of getting sick from tight living quarters, she added, is compounded by the pressure to keep working or quickly return to work, even in risky settings.

The risks are borne out by demographic data. Across the country, 43 percent of Black and Latino workers are employed in service or production jobs that for the most part cannot be done remotely, census data from 2018 shows. Only about one in four white workers held such jobs.

Also, Latino people are twice as likely to reside in a crowded dwelling — less than 500 square feet per person — as white people, according to the American Housing Survey.

The national figures for infections and deaths from the virus understate the disparity to a certain extent, since the virus is far more prevalent among older Americans, who are disproportionately white compared with younger Americans. When comparing infections and deaths just within groups who are around the same ages, the disparities are even more extreme.

Coronavirus cases per 10,000 people, by age and race

Source: Centers for Disease Control and Prevention | Note: Data is through May 28.

Latino people between the ages of 40 and 59 have been infected at five times the rate of white people in the same age group, the new C.D.C. data shows. The differences are even more stark when it comes to deaths: Of Latino people who died, more than a quarter were younger than 60. Among white people who died, only 6 percent were that young.

Jarvis Chen, a researcher and lecturer at the Harvard T. H. Chan School of Public Health, said that the wide racial and ethnic disparities found in suburban and exurban areas as revealed in the new C.D.C. data should not come as a surprise. The discrepancies in how people of different races, ethnicities and socioeconomic statuses live and work may be even more pronounced outside of urban centers than they are in big cities, Dr. Chen said.

“As the epidemic moves into suburban areas, there are good reasons to think that the disparities will grow larger,” he said.

The shortfalls of the government’s data

The Times obtained the C.D.C. data after filing a Freedom of Information Act lawsuit to force the agency to release the information.

To date, the agency has released nearly 1.5 million case records. The Times asked for information about the race, ethnicity and county of residence of every person who tested positive, but that data was missing for hundreds of thousands of cases.

C.D.C. officials said the gaps in their data are because of the nature of the national surveillance system, which depends on local agencies. They said that the C.D.C. has asked state and local health agencies to collect detailed information about every person who tests positive, but that it cannot force local officials to do so. Many state and local authorities have been overwhelmed by the volume of cases and lack the resources to investigate the characteristics of every individual who falls ill, C.D.C. officials said.

Even with the missing information, agency scientists said, they can still find important patterns in the data, especially when combining the records about individual cases with aggregated data from local agencies.

Still, some say the initial lack of transparency and the gaps in information highlight a key weakness in the U.S. disease surveillance system.

“You need all this information so that public health officials can make adequate decisions,” said Andre M. Perry, a fellow in the Metropolitan Policy Program at The Brookings Institution. “If they’re not getting this information, then municipalities and neighborhoods and families are essentially operating in the dark.”

Higher cases, higher deaths

The higher rate in deaths from the virus among Black and Latino people has been explained, in part, by a higher prevalence of underlying health problems, including diabetes and obesity. But the new C.D.C. data reveals a significant imbalance in the number of virus cases, not just deaths — a fact that scientists say underscores inequities unrelated to other health issues.

The focus on comorbidities “makes me angry, because this really is about who still has to leave their home to work, who has to leave a crowded apartment, get on crowded transport, and go to a crowded workplace, and we just haven’t acknowledged that those of us who have the privilege of continuing to work from our homes aren’t facing those risks,” said Dr. Mary Bassett, the Director of the FXB Center for Health and Human Rights at Harvard University.

Dr. Bassett, a former New York City health commissioner, said there is no question that underlying health problems — often caused by factors that people cannot control, such as lack of access to healthy food options and health care — play a major role in Covid-19 deaths.

But she also said a big determinant of who dies is who gets sick in the first place, and that infections have been far more prevalent among people who can't work from home. "Many of us also have problems with obesity and diabetes, but we're not getting exposed, so we're not getting sick," she said.

The differences in infection case rates are striking, said Jennifer Nuzzo, an epidemiologist and professor at the Johns Hopkins Bloomberg School of Public Health.

"Some people have kind of waved away the disparities by saying, 'Oh, that's just underlying health conditions,'" Dr. Nuzzo said. "That's much harder to do with the case data."

In June, C.D.C. officials estimated that the true tally of virus cases was 10 times the number of reported cases. They said they could not determine whether these unreported cases had racial and ethnic disparities similar to those seen in the reported infections.

But they said that more-severe infections — which are more often associated with underlying health conditions, and with people seeking medical care — are more likely to be recorded as cases.

That difference in the reporting of cases might explain some portion of the race and ethnicity disparities in the number of documented infections, C.D.C. officials said. But they said that it was also clear that there have been significant disparities in the number of both deaths and cases.

To measure how the coronavirus pandemic is affecting various demographic groups in the United States, The New York Times obtained a database of individual confirmed cases along with characteristics of each infected person from the Centers for Disease Control and Prevention.

The data was acquired after The Times filed a Freedom of Information Act suit. The C.D.C. provided data on 1.45 million cases reported to the agency by states through the end of May. Many of the records were missing critical information The Times requested, like the race and home county of an infected person, so the analysis was based on the nearly 640,000 cases for which the race, ethnicity and home county of a patient was known.

The data allowed The Times to measure racial disparities across 974 counties, which account for about 55 percent of the nation's population, a far wider look than had been possible previously. Infection and death rates were calculated by grouping cases in the C.D.C. data by race, ethnicity and age group, and comparing the totals with the most recent Census Bureau population estimates for each county.

For national totals, The Times calculated rates based on both the actual population and the age-adjusted population of each county. The age adjustment accounts for the higher prevalence of the virus among older U.S. residents and the varying age patterns of different racial and ethnic groups. The national totals exclude data for eight states for which county-level information was not provided, but each of those states also showed a racial disparity in case rates.

EXHIBIT 7

In Large Texas Cities, Access To Coronavirus Testing May Depend On Where You Live

[npr.org/sections/health-shots/2020/05/27/862215848/across-texas-black-and-hispanic-neighborhoods-have-fewer-coronavirus-testing-sit](https://www.npr.org/sections/health-shots/2020/05/27/862215848/across-texas-black-and-hispanic-neighborhoods-have-fewer-coronavirus-testing-sit)

Sean McMinn



Staff work at a drive-through coronavirus testing site outside the American Airlines center in North Dallas in late March.

Dan Tian/Xinhua News Agency/Getty Images



As COVID-19 continues to spread across the country, state and local health officials rush to try to detect and contain outbreaks before they get out of control. A key to that is testing, and despite a slow start, testing has increased around the country.

But it's still not always easy to get a test. While many things can affect access to testing, location is an important starting point.

NPR investigated the location of public testing sites in Texas, one of the first states to reopen, to see how they were distributed between predominantly white and predominantly minority areas. The investigation found that in four out of six of the largest cities in Texas, testing sites are disproportionately located in whiter neighborhoods.

With evidence growing that black and Latino communities are harder hit by this deadly disease, community leaders say that testing disparities are problematic. Many experts warn that if communities don't test the most vulnerable, they could miss pockets of infection and have new large outbreaks.

"If you're casting a very small net, and you're shining a flashlight on a small portion of infections that are out there, you might think you're doing OK," says Dr. Jennifer Nuzzo, lead epidemiologist for the Johns Hopkins COVID Testing Insights Initiative. "Whereas there's this whole pool of infections that you haven't seen."

Nationally, it's hard to determine where there may be testing disparities because data is scarce. Most states and cities across the country either do not track or do not report the racial breakdown of tests that are conducted. But there are media reports of racial disparities that suggest that the patterns identified in Texas are happening in other parts of the country.

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"I was acutely concerned from the very beginning," says Dr. Wayne Frederick, president of Howard University, a historically black college in Washington, D.C., who is leading efforts by the university to bring more testing to black neighborhoods. The lack of attention paid to minority health care, he says, "is not a good strategy for our health care system and for the vulnerable part of our community."

Texas: Whiter neighborhoods have more testing sites

In Dallas, a stark divide exists between the north and south ends of town. Interstate 30 bisects the city and largely serves as a borderline between the city's predominantly white neighborhoods to the north and the predominantly black or Hispanic neighborhoods in the south.

In North Dallas there are 20 testing sites. Southern Dallas has nine, with a third of those sitting within a mile of the interstate.

Dallas County, home to the city of Dallas, has the second-highest COVID-19 case count in the state.

In three other cities, the trend was the same: More testing sites were in whiter neighborhoods. In each city, NPR ranked neighborhoods based on their density of white residents. The analysis then focused on the half with the lowest density of white residents to see how many testing sites that are open to the public are located in those areas:

- In Fort Worth, six out of 18 testing sites were in the neighborhoods with the lowest density of white residents.
- In Austin, nine out of 25 were in these neighborhoods.
- In El Paso, five out of 18 were in these neighborhoods.

To determine where permanent testing sites were located, NPR contacted health care providers in those six largest cities in Texas — representing a total population of 7.9 million by most recent Census estimates — and reviewed government, health care and news websites.

The testing site locations include facilities where residents can go to get diagnostic testing for active infection, such as urgent care clinics, hospitals and drive-through testing sites. They don't include sites such as doctor's offices and some hospitals that may provide tests for admitted patients but are not available to the public. Mobile sites, where locations regularly change, are also not included. Reporters analyzed the racial breakdown in areas where testing sites are located using census tract data.

NPR offered city and county health officials the opportunity to review the findings and point to additional testing sites.

These disparities could point to a larger problem in Texas, says Nuzzo. Without good testing access in places where minorities live, the state could be missing cases. She notes that Texas has a low rate of positive cases — a measure that can indicate a community is conducting sufficient testing — but it also has one of the lowest rates of testing among states.

"It's either that there's just not that much infection in Texas, or that there is infection, but they're testing the wrong people," says Nuzzo. "And it's been hard for me to believe that there's not that much infection in Texas."

The Texas Division of Emergency Management and the Department of State Health Services did not make anyone available for an interview on the state's testing plan.

The national picture

Testing disparities have also been reported in New York City and Chicago.

Some communities across the country are starting to identify and tackle the issue, but only four states currently publish racial breakdowns of who is being tested: Nevada, Delaware, Kansas and Illinois. In New York City, authorities have identified hotspots in low-income and minority neighborhoods and have set up testing sites at over 70 faith-based organizations to target those communities. And in Wisconsin, where some of the first reports of stark racial disparities emerged, free testing is now available to all black, Hispanic, and Native American residents.

At the federal level, the House of Representatives passed a wide-ranging coronavirus relief bill this month that would, in part, fund testing centers in minority communities. Continuing negotiations on the bill, however, make it unlikely that it will pass the Republican-controlled Senate in its current form. Democratic Rep. Bobby Rush of Illinois has introduced a separate bill that would fund testing sites, prioritizing those around coronavirus hot spots and in underserved communities.

"We don't know the numbers, we don't know the number of people who have not been diagnosed," says Rush, who represents a mostly black district in Chicago, recalling his early response to Chicago's outbreak. "We were operating blindly regarding the individual community response to COVID-19, and the white community was better informed."

The House Energy and Commerce committee also announced Tuesday it would hold a hearing on states' testing plans, including access to testing for minority communities.

But local communities might have trouble piecing together what testing access looks like. Local public health departments have dealt with years of underfunding, and the federal government isn't keeping track of and publishing its own list of testing sites. States may not have complete data either. Texas has its own state map, but some sites located by NPR were missing or out of date.

"For the most part across the U.S., it's really, really hard to rely on those government websites for the information," says Tarryn Marcus, who leads a volunteer effort called Get Tested COVID-19, which is attempting to compile a national database of testing locations. "There's a lot of inconsistency, a lot of outdated information — stuff that was true maybe a month ago or a few weeks ago but it's no longer true."

Marcus' organization is attempting to fill in the gaps with their database, which was compiled over two months by more than 80 volunteers. Though it's still not complete, their data reinforce what NPR found in Texas cities. Marcus' team analyzed the sites they do have to look at where there were large numbers of people without a nearby testing site. Across the country, most of the areas with gaps, she says, were in blue collar communities with low income.

Cities in Texas vary in their approach

Not all cities in Texas have a disparity in testing site locations. In San Antonio, the state's second largest city, testing sites are equally distributed by race. Houston, the state's largest city, has more testing sites in minority neighborhoods than white neighborhoods. The city says it took into account risk factors for disease, as well as CDC testing data, to determine where to target its testing.

But in Dallas, recent research by the UT Health School of Public Health identified parts of South Dallas as vulnerable to COVID-19 hospitalization because of higher concentration of some chronic conditions like asthma, diabetes and obesity. These were the same areas — predominantly minority neighborhoods — that NPR's analysis show to lack testing sites. The state does not provide detailed data on the races of coronavirus patients, and Dallas County's is incomplete.

"If we're looking to protect our most vulnerable in the population, then we need to concentrate some testing resources in the areas where they're more likely to live," says Dr.

Stephen Linder, one of the UT Health researchers.

Dr. Philip Huang, director of Dallas County Health and Human Services, said many of the testing sites in north Dallas are at private sector providers. That's where most of Dallas' hospitals are as well.

Huang said the county has tried to focus public sector testing efforts towards underserved communities as much as possible.

"We have been trying to definitely target those resources that we have control over into those areas," he said, including two federally-funded drive-thru sites, one in South Dallas and the other downtown. Combined, they can test 1,000 people a day. "A lot of the disparity ... is reflecting some of that private sector availability of tests in the northern part of Dallas compared to southern Dallas."

In an attempt to fill the gaps, in mid-May the city started sending health care workers to residents' homes if they don't have transportation to get to a testing site. That effort has averaged 20 tests per day, according to figures provided by the city. Other cities have set up temporary sites that are open for days at a time before moving on to the next location.

Even the public health systems, which exist to fill these gaps, present obstacles for someone trying to get a test. Parkland, the public hospital system in Dallas, does have clinics in South Dallas that can test, but you have to be a patient already or be seen through the ER. You can also be referred to Parkland through one of the area's federally qualified health centers, but those centers don't do testing themselves.

For cities that have testing disparities like these, the solution involves not just opening an equal number of testing sites in minority neighborhoods, but actually focusing on those that are most at risk, says Dr. William Owen, a medical school administrator whose work has focused on health care access for racial minorities.

In other words, Owen says, communities should make sure it's easy to get tested in places carrying the heaviest burden of the disease.

"That's where I'm going to plot my testing sites," he says. "Direct your resources specifically while they're limited — which is what they are right now — to where you think you'll get the most hits."

Other barriers to testing

Location, of course, isn't the only factor that determines whether at-risk people will get tested for the disease. Other barriers can keep someone from being tested, including whether a doctor needs to refer you to a testing center or whether you can just walk in; how much the tests cost if you're uninsured; and how much time you have to wait at a

testing site. Cost could be an issue in a place like Texas, which has not expanded Medicaid and has the highest uninsured rate in the country. Lack of transportation and concerns about being able to work after testing positive can also keep people away from testing sites.

These challenges can be especially difficult for people of color to navigate: They're more likely to be uninsured and, in some places, more likely to work in essential services, making it difficult or impossible to spend hours traveling or waiting at a testing site.

"This disease has absolutely highlighted many disparities that we have in our country when it comes to public health," says Angela Clendenin, an instructional assistant professor of epidemiology at the Texas A&M School of Public Health. "And it boils down to access."

One way to deal with these challenges is to work with community leaders and groups that people are already familiar with to encourage them to get tested, says Owen, the medical school administrator. Leaning on faith-based leaders to stress the importance of testing, along with setting up makeshift testing sites at community centers like churches, could bring large-scale public health efforts to the doors of people who might otherwise be excluded.

A South Dallas church, for example, hosted a two-day mobile testing event last week, sponsored by the state and National Guard.

"How do you do voter registration? You do it at the local high school. You maybe have someone in front of the grocery store in the neighborhood. You have somebody at the church," Owen says. "If I were the mayor, I'd say, 'Great, let's have the arena. But by the way, we're going to have a small testing center at the big churches.'"

Methodology

NPR gathered addresses of permanent testing sites from county, city and state websites, health care providers and news reports. NPR verified these sites by contacting health care providers and city officials by phone or email. City and county officials were offered the opportunity to review the findings and point to additional testing sites. Mobile and temporary testing sites are not included in this dataset. Sites that only perform antibody testing are not included.

NPR geocoded testing site locations on an online geocoding platform to determine what census tract they were within. A reporter verified each location with a geocoding "accuracy score" of below 0.9. For each city, the analysis included only census tracts within the city's official boundaries, which do not include suburbs. The Census Bureau provided median household income and demographic data, which were used along with data from the Social Vulnerability Index (SVI). The main demographic measure referenced in this story was the percent of the population who identify as 'white alone.' For income, percent white and SVI, NPR calculated the number of sites and distance from

a site for tracts above and below the city's overall median for that measure. Medians referenced are medians of census tracts, not population medians, and may therefore differ slightly from population medians.

The dataset used in this analysis is [available on Google Sheets](#).

Don't see the graphics above? Click here.

EXHIBIT 8



Which Cities Have The Biggest Racial Gaps In COVID-19 Testing Access?

By Soo Rin Kim, Matthew Vann, Laura Bronner and Grace Manthey

Graphics by Ryan Best

Design by Emily Scherer

Filed under Coronavirus

Published Jul. 22, 2020



PHOTO ILLUSTRATION BY EMILY SCHERER / GETTY IMAGES

When the coronavirus outbreak threatened to rock Philadelphia's predominantly Black neighborhoods, Dr. Ala Stanford knew that access to COVID-19 tests was going to be a problem.

So she rented a van, loaded it up and headed to the areas of the city where residents needed tests the most. Every test conducted was free.

When Stanford began distributing tests in early April, she saw only a handful of testing centers in the city. Only a small share were in majority-Black neighborhoods, and the bar for actually getting a test was high.

“We’ve been to locations that are predominantly African American where everyone had insurance and they couldn’t get tested,” said Stanford, referring to the often strict requirements providers had of those seeking tests as the outbreak began, such as doctor referrals, appointments and symptoms consistent with infection.

Stanford, a pediatric surgeon, quickly assembled a group of doctors and volunteers called the Black Doctors COVID-19 Consortium to help meet the challenge of testing the city’s underserved residents. Together, the group has issued Philadelphia’s residents more than 7,000 tests. But even with the intervention of medical professionals like Stanford stepping in to meet the rising demand, many communities of color across the country still face a dire situation in terms of getting a COVID-19 test.

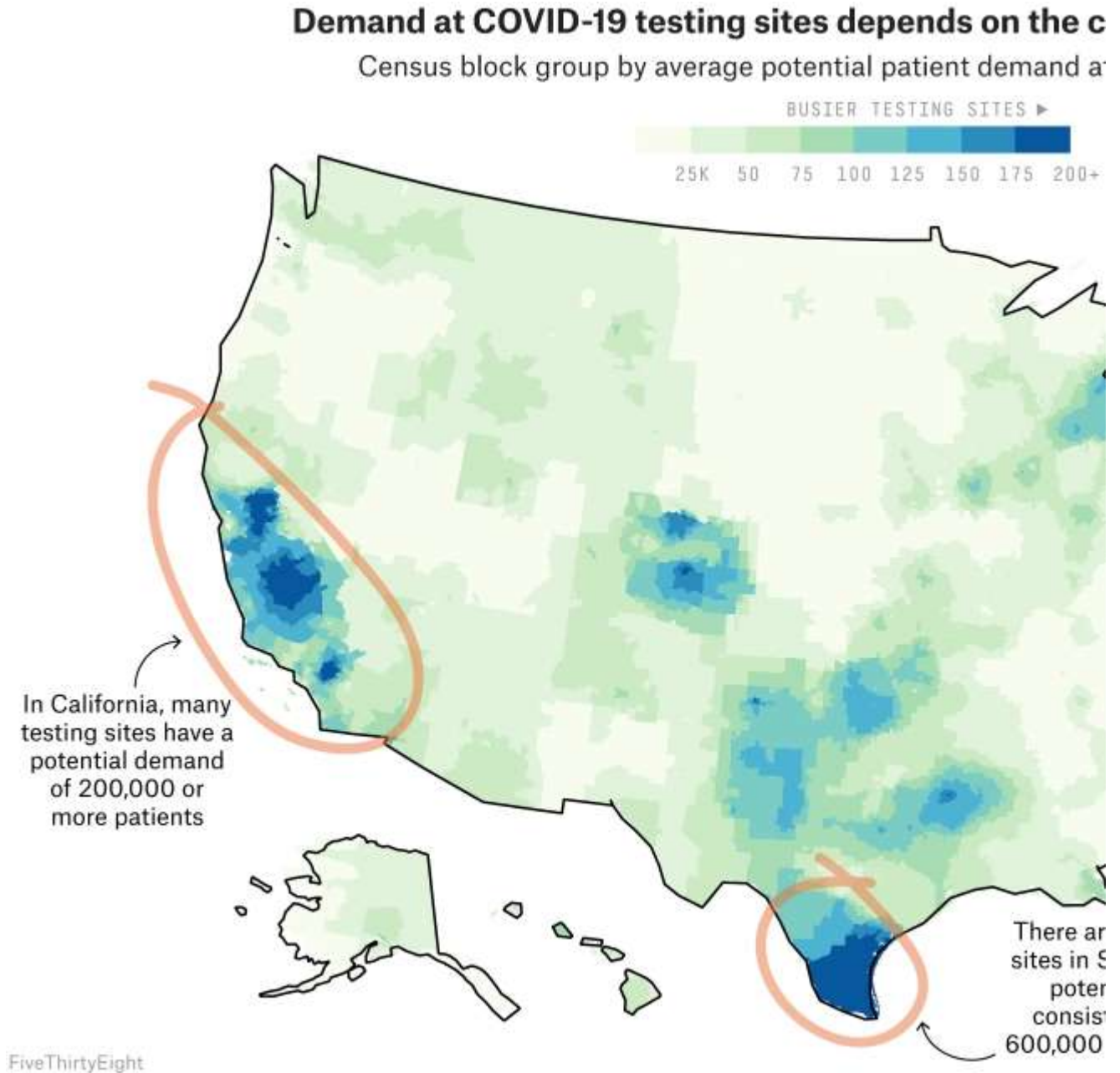
With nearly 4 million [coronavirus cases](#) across the United States and hospitalizations surging in different parts of the country, there continues to be a growing demand for tests. Today, Americans routinely wait for hours to get an exam — if they can get one at all. Access is not available equally nationwide. Simply put, where Americans live and how much income they earn can still determine the ease with which they get a COVID-19 test.

According to a new, extensive review of testing sites by ABC News,¹ FiveThirtyEight and ABC-owned television stations, sites in communities of color in many major cities face higher demand than sites in whiter or wealthier areas in those same cities. The result of this disparity is clear: Black and Hispanic people are more likely to experience longer wait times and understaffed testing centers.

This nationwide review is one of the first to look at testing site locations coast to coast, in all 50 states plus Washington, D.C., using data provided by the health care navigation company Castlight Health (the same data that Google Maps uses to surface COVID-19 testing sites). An assessment of city and state health department websites also revealed, over and over, fewer testing sites in areas primarily inhabited by racial minorities.

Importantly, our analysis does not factor in the capacity of testing sites, which can vary from just 50 tests at one site to 2,000 at another, meaning that one site might be equipped to serve a larger number of people than another site. Instead, it looks at the potential demand for each site based on the number of people and sites nearby. The data

we used is also less likely to reflect tests done in private physicians' offices than federally-funded community sites, local government-run mobile pop-up sites, urgent care clinics and hospitals. Additionally, this analysis doesn't take into account other factors that could determine testing accessibility, such as staffing and wait times, as well as other restrictions on testing like appointment or insurance requirements.



When the outbreak began, testing posed **the most immediate challenge** to states, as a shortage of supplies, testing kits and processing backlogs created capacity problems. Since then, states have **vastly increased their bandwidth** to perform tests, but even now, experts from the Harvard Global Health Institute say **daily testing needs to nearly double**

to help mitigate the pandemic. And states and cities are still struggling to determine how to allocate testing resources and where to place testing centers.

The Trump administration **struggled early on** in the pandemic to expand testing nationwide. Reliant on off-shore manufacturing that **limited access to supplies** like swabs and reagents, and armed with little data about who was getting sick and where, Trump's political appointees **quickly embraced** that the federal government's job would be mostly managing the logistics of testing such as supplies and distribution of state funds, as opposed to overseeing the coordination of state testing plans.

But critics say that strategy left many states scrambling to meet the rising demand that health experts say will only grow **more urgent in the fall**, when students return and flu season starts.

The Department of Health and Human Services recently **released a comprehensive strategy** to address the disparate access to COVID-19 testing, including expanding testing at federally qualified health centers as well as supporting public-private partnerships that establish testing at retail pharmacy companies to accelerate testing within vulnerable populations. CVS and Walgreens — two of the retail pharmacies listed in the HHS plan — both said in statements to ABC News that more than half of their store locations issuing COVID-19 tests are now located in areas most in need, based on the Centers for Disease Control and Prevention's **social vulnerability index**.

Residents wait in line for the drive-thru COVID-19 testing center at the Ellis Davis Field House in Dallas. TOM PENNIE

WHAT OUR ANALYSIS FOUND

The novel coronavirus itself does not distinguish between Black and white Americans. But virtually every other aspect of U.S. society does, including the nation's response to COVID-19.

Our analysis revealed that, in many cities, testing sites in and near predominantly Black and Hispanic neighborhoods are likely to serve far more patients than those near predominantly white areas.²

A similar disparity exists between richer and poorer neighborhoods, our analysis showed: Testing resources were more scarce in poorer areas, with fewer sites per person and sites located farther away. And the disparity could be even greater in real life, considering wealthier people could also get tested by private practitioners who are less likely to be reflected in our analysis.

Kevin Ahmaad Jenkins, a fellow at the University of Pennsylvania's Leonard Davis Institute of Health Economics who has been researching the impact of COVID-19 testing center availability on communities of color, told ABC News and FiveThirtyEight that his team found that testing sites serving minority communities in big cities are fewer in number, have longer lines and often run out of tests. The impact of such disparities, he said, is evident in the pandemic's [disproportionate effect on people of color](#).

"It's just as clear as George Floyd's video. These numbers are right in front us: We are dying at disproportionate rates," he said.

To better understand the extent of this problem, we looked for cities whose broader "urbanized area" had at least 1 million residents. ("[Urbanized area](#)" is a census designation for cities and the densely populated areas immediately surrounding them.) We then calculated the potential level of demand at each testing site in that area, based on the number of people living nearby and additional sites in the area.³

We assumed that people would want to get tested at nearby sites, so we compared the number of patients a site would serve if the population of each census block group tried to visit sites that were close to them. This value, which we will refer to as potential patient demand, reflects how many people live near a given site and how many other options those people have.

The disparities we found varied in severity across the country. In some major urbanized areas, they're small or nonexistent. But in others — from Dallas to Miami to San Diego and many places in between — majority-Black and majority-Hispanic neighborhoods faced *far* more competition for COVID-19 testing than their white neighbors. Disparities were also seen in some predominantly Asian or Pacific Islander communities, such as those in Washington, D.C., Minneapolis and Riverside, Calif., but they weren't as widespread as those among Black and Hispanic communities.

And our calculation of potential demand for testing at some sites in those underserved neighborhoods is likely an underestimation: Based on our reporting, many of the testing sites in those neighborhoods are government-funded community sites. These sites are set up to close the gaps in testing access in different communities, but they tend to be very popular among people from all across the county or urban area because they are often free and don't require an appointment.

We used data from the U.S. Census Bureau's 2014-18 American Community Survey five-year estimates to figure out if, within urbanized areas, block groups that were majority Black or majority Hispanic were more likely to be close to sites with higher potential patient demand than majority-white block groups. To compare neighborhoods, we created a measure that we call potential community need, which is an average of the potential demand at nearby test sites. We also examined how block groups with a median income in the top 25 percent compared to those with median incomes in the bottom 25 percent.

Castlight's set of testing site locations is among the most comprehensive data available, but compiling every testing location in the nation is a massive undertaking, as sites are constantly opening, closing and moving. Given that, the data set is likely missing some testing sites. Additionally, our analysis is based on testing site data as of June 18, so many new sites have been added nationwide since then — and others have likely closed or moved. We conducted separate analyses using a different source of testing site locations and examined other testing-related data to corroborate our findings.

We've highlighted some of the cities with the most emblematic trends below. While we're confident in the trends we're presenting, we'd encourage you to think of them more as estimates (akin to a fire marshal's approximation of the size of a crowd at a political rally) than exact measurements (such as a baseball player's batting average). For more detail on our methodology, and some of the limitations in the data and thus this analysis, [see here](#).

However, this analysis still provides a vivid snapshot of the hurdles, complications and shortfalls in American efforts to slow the spread of COVID-19 this summer, a time when increased testing capacity in minority and low-income areas could have slowed the disease — a point [widely acknowledged by public health experts](#).

“Testing site distribution and capacity is a direct reflection of the inequalities in our existing health care system,” said John Brownstein, a professor of epidemiology at Harvard Medical School whose team of researchers at Boston Children's Hospital's Computational Epidemiology Lab also [looked into](#) the health care disparities underlying geographic access to testing. “The lack of access for those most vulnerable to infections will only serve to intensify the impact of this pandemic.”

Patients wait in line at a walk up COVID-19 testing site in the Redbird neighborhood of Dallas. MONTINIQUE MONROE / (

TEXAS

Kenneth Hamilton, 31, had been waiting for four hours in the line to take a COVID-19 test at Houston's NRG Stadium.

Eventually, after spotting several people not wearing masks or practicing social distancing, Hamilton — a small business owner and father of seven — decided that continuing to wait wasn't worth the risk of being exposed to coronavirus in the line itself. So he left, and looked for other testing options in his neighborhood.

But as a Black resident of Houston's Third Ward, the line Hamilton left was, at the time, his only nearby option. Three months after he first sought a test, he says there are considerably more testing centers in his neighborhood.

“One of the schools that my kids go to, and one of the schools close by in the neighborhood, and a couple of churches now have them,” he said. “They ramped up, to an extent.”

The Houston urbanized area is **just as diverse** as many other major Texas metropolitan areas, but the city's initial plans to spread testing centers out equally across its neighborhoods while still operating at capacity helped to reduce site demand. As a result, the community demands of various neighborhoods were fairly equal. ABC News and FiveThirtyEight's analysis showed that, on average, predominantly Black Houston neighborhoods faced similar levels of potential need as white neighborhoods. Hispanic neighborhoods had slightly higher potential community need than white neighborhoods, but not by much.

But the disparities are still clearly visible in the San Antonio and Dallas areas.

SAN ANTONIO

In the San Antonio urbanized area, testing sites in poorer, majority-Black and majority-Hispanic neighborhoods in the south, east and west are estimated to have to serve far more people than sites in **more affluent, whiter neighborhoods** in the north, resulting in a disparity in potential community need.

According to our analysis, of the roughly 45 sites that were actively testing in San Antonio in mid-June, several sites with the lowest potential patient demand were concentrated in the northern neighborhoods of Stone Oak and The Dominion, as well as the areas surrounding Friedrich Wilderness Park, which are all [majority-white communities](#) that boast median household incomes ranging from around \$100,000 to \$150,000.

In comparison, many of the busiest sites are scattered in San Antonio's more densely populated downtown, where the median income ranged from just \$15,000 to about \$40,000.

Throughout the San Antonio urbanized area, predominantly Hispanic neighborhoods had an average potential community need twice as large as white neighborhoods; the disparity in between majority-Black and majority-white neighborhoods was even larger.

Experts say that the disparity can be attributed to a long-standing gap in the health care system and an unequal distribution of health care facilities in the San Antonio area, which is one of the [most economically segregated cities](#) in the country.

San Antonio residents are tested for COVID-19 at a free walk-up site set up by the San Antonio Fire Department.

ERIC GAY / AP PHOTO

Recognizing testing disparities in different communities, the city identified underserved neighborhoods based on its [equity matrix](#), and put together three cost-free pop-up sites

that rotate around different parts of the city every week, according to its health department.

Not only are government sites falling short of their ability to meet the public need for tests, but they themselves have become part of the disparity by concentrating demand even as they seek to address it in underserved neighborhoods. San Antonio's walk-up sites do not require a doctor's referral and, as a result, have become massively popular among those who do not otherwise have access to testing.

In late June, Jennifer Herriott, the deputy director of the San Antonio Metropolitan Health District, told us that people have lined up hours before these pop-up sites even open and that one time they had to turn down 275 people after running out of tests.

Herriott said that as the demand for testing spiked, with cases and hospitalization rates across the state [setting new records on an almost daily basis](#), the city and the county have been working to ramp up testing capacity. The pop-up sites that used to run only three days a week now operate six days a week, and each site's capacity has been increased from about 150-200 tests per day to 350.

Still, the long lines remain in some places, and sites continue to run out of tests.

“Public health and our partnership with San Antonio Fire [Department] has consistently had its eye on making sure that we're serving our Black and brown communities,” Herriott said. “As our needs increase here, we've increased free testing and those walk-ups and the Freeman drive-thru so we make sure that communities that might not be able to access testing are able to access testing.”

DALLAS

Dallas County and Tarrant County, two counties of [nearly 4.7 million people](#) that cover much of the Dallas urbanized area, have together reported over [64,000 confirmed cases](#) of the coronavirus so far. Our data showed that in early summer, the testing infrastructure of the Dallas urbanized area — which encompasses the cities of Dallas, Fort Worth and Arlington — resembled that of San Antonio: Local and state providers, as well as private hospitals, favored people living in whiter and wealthier parts of the county, towards the north, more than those living in the less affluent areas in the south.

Across the Dallas–Fort Worth–Arlington urbanized area, our analysis found that majority-Black neighborhoods had a potential community need 46 percent higher than majority-white neighborhoods; majority-Hispanic neighborhoods had a potential need 24 percent higher.

“There’s a compounding problem beyond just where the sites are,” said Judge Clay Jenkins, the chief elected official in Dallas County. “The people that tend to have insurance are in the north and those that tend to not have insurance are in the south. We’ve planned to put the majority of our testing in places where there’s high uninsured.”

Take the University Park neighborhood of Dallas, where the median household income is \$214,000 and **almost 90 percent** of the residents are white. It has at least five testing sites around the neighborhood, according to Castlight data. Appointments are required at most of them, per Castlight, which helps organize the speed at which people are able to get tested every day (walk-in testing centers tend to have longer lines).

It’s a vastly different situation in Lancaster in southeast Dallas County, which has about 15,000 more residents than University Park but where Black people make up **69 percent of the population** and the median household income is \$53,000. Residents hoping to get a coronavirus test in the Lancaster area had to travel at least seven miles to the nearest drive-thru testing center until recently, when a nearby Walmart Supercenter **opened up** a drive-thru site.

To address the disparities, the city of Dallas asked the private sector to step up its support in the areas of the city most in need of more testing.

“A lot of the private providers are set up in northern Dallas, and it does highlight the existing disparities in the city,” said Tristan Hallman, a spokesman for Dallas Mayor Eric Johnson. “In response, we’ve asked Walgreens, CVS, Kroger to locate their facilities in southern Dallas, and they’ve done so.”

A pharmacist checks in vehicles at a drive-thru Walgreens COVID-19 testing site in Dallas. TONY GUTIERREZ / AP PHOTO

Indeed, public health experts said the issue of unequal access to testing is a direct result of long-standing decisions made by private-sector companies and entrepreneurs when selecting which neighborhoods to open new businesses in. And the disparity is exacerbated by the fact that underserved communities are less likely to have the health insurance or financial resources necessary to seek costly testing from private providers when community sites are not accessible.

“This is certainly driven by systematic health care injustice and it’s actually very clearly delineated in Dallas because of gentrification and all of the social aspects of our community,” said Katelyn Jetelina, a professor at the UTHealth School of Public Health in Dallas. “We need to figure out how to supplement the cost so that families in south Dallas don’t have to decide whether they’re having dinner or have to go get a COVID test.”

Even as more testing sites have been set up in underserved communities, new coronavirus hot spots flared up over the summer as communities began to reopen; now, a lack of tests and long lines have [created major problems all over the country](#).

Further south, along the border in Hidalgo, Texas, Isaac Garza waited 10 hours in line to get a coronavirus test after visiting several recently reopened restaurants he oversees. As he has diabetes, an underlying condition, he didn’t want to take any chances, and was relieved when his test results came back negative.

But the limited testing options in his community creates problems for Garza's staff, too. Every day, Garza said, he receives calls from employees showing symptoms consistent with COVID-19 who tell him that they might have to miss critical work hours to wait in line for a test.

"It's really been challenging to do business and just to live day in and day out with all this because you're trying to protect your family, you're trying to protect your employees," he said.

PHILADELPHIA

Funeral director John Price, 72, had just gotten a break after a long day picking up bodies of COVID-19 victims from local hospitals in June. So he thought it was the perfect time to get tested himself for the coronavirus.

Price pulled his car into a line of approximately 300 others waiting for a test at a church parking lot on Cheltenham Avenue in North Philadelphia. Two hours in, he started getting calls from clients who had just lost loved ones to COVID-19. Another hour into his attempt to get a test, Price realized that he just couldn't wait any longer.

"I had to pull out of the line, because I had people who were calling me," he said. "It was probably going to be another two or three hours before they got to me. If they got to me."

He went another week without getting a COVID-19 test until he stumbled upon a walk-in testing site organized by Dr. Ala Stanford's Black Doctors COVID-19 Consortium, which was offering the tests for free.

"A lot of people weren't notified of how they can actually get testing," said Price, recalling confusion amongst residents when the outbreak first began in the predominantly Black neighborhood of West Powelton, where his funeral home is based. "It was more like word of mouth, 'Oh this organization is doing it today over here, or so-and-so is doing it today over there.'"

The Black Doctors COVID-19 Consortium has focused on increasing access to tests in predominantly Black neighborhoods in Philadelphia. MATT ROURKE / AP PHOTO

Even today, as the coronavirus crisis intensifies nationally, predominantly Black neighborhoods in the Philadelphia urbanized area, which extends into New Jersey, Delaware and Maryland, have fewer testing centers than their wealthier and whiter counterparts.

Other researchers, conducting independent analyses of other data, observed the same phenomenon we did regarding the demands placed on testing sites in majority-white and majority-Black neighborhoods at the city level, despite the fact that Black Philadelphians make up a plurality of COVID-19 test recipients in the city.

Drawing on his own study of access to COVID-19 tests in various Philadelphia neighborhoods, which he has been tracking since the outbreak began, Drexel University epidemiologist Dr. Usama Bilal found that testing disparities are often a product of existing systemic inequalities. Rates of testing, he said, were lower in poorer areas and areas with higher proportions of residents who are racial minorities. Testing access improved throughout the city in April and May, Bilal found, but as cases start to resurface and the demand for tests rises, he worries the city will backslide.

“We’ve been observing that testing access is going the wrong way again,” he said. “Testing is becoming more concentrated in wealthier areas in Philadelphia, and we have observed a similar pattern in Chicago and New York.”

A Philadelphia public health department spokesman denied that testing is increasingly inaccessible to racial minorities and said that the city has been focused on expanding resources in underserved communities, citing services like the Black Doctors COVID-19 Consortium, which recently [received city funding](#) to conduct free coronavirus tests.

But Stanford, the surgeon who heads the consortium, said she worried that as the demand for testing increases nationwide, the share of tests she will be able to offer free of charge will fall.

“We’re out here in the sun, in the rain, doing whatever we can do in a mobile unit begging for supplies from everywhere else in the United States, waiting 10 days to get our results back,” she said. “But yet, in some of the best hospitals in the nation you have an in-house test that the residents of this city do not uniformly have access to. That’s a problem.”

According to the city’s public health department, Philadelphia has conducted more than 166,000 COVID-19 tests. Black residents account for 40 percent of the city’s COVID-19 tests, more than any other racial group tested and [about equal](#) to the share of Philadelphia that is Black, per [city data](#).

Bilal’s research, however, now finds that in predominantly Black and highly populated areas like the Oxford Circle neighborhood of Philadelphia, where the [median household income](#) is \$41,000, just 60.9 per every 1,000 people are now getting tested. Compare that to the more affluent and plurality white Center City neighborhoods, where testing rates are now 133 per every 1,000 people, according to Bilal.

“The epidemic that we really need to control long term is social inequality,” said Bilal [as the coronavirus outbreak in Philadelphia first took hold](#). “It has many different intersecting axes. So there is racism: that is places, that is classism, that is gender discrimination, there are many, many things going on there.”

Dr. Ala Stanford administers a COVID-19 test in Philadelphia earlier this year. Stanford said the way COVID-19 tests are being administered “points to some of the racial injustice we know exists at our health care centers.” MATT ROURKE / AP PHOTO

Indeed, the Philadelphia area illustrates the extent to which disparities in coronavirus testing access grow out of systemic inequality in American society. Philadelphia is [one of the poorest big cities](#) in the nation, with about 25 percent of residents living below the poverty line. Bilal found that while the distribution of testing sites in Philadelphia has vastly improved from where it was at the beginning of the outbreak — with multiple options now available for residents in even the poorest areas — Black Americans in many low-income areas are still likely to find it difficult to get a COVID-19 test. Our analysis of the sites active in mid-June confirmed this.

In Kingsessing, a southwestern neighborhood that’s around 80 percent Black, there’s only one COVID-19 testing site, and that site has limited testing hours. Meanwhile, in the Center City area, there are several sites — some within a short walking distance of each other.

As is the situation in Philadelphia, many cities are now responding to calls to provide more resources to communities of color by increasing the number of pop-up sites to accommodate residents and ease the demand for more tests.

The Florida National Guard set up a testing site at Hard Rock Stadium in Miami Gardens, Florida. MATIAS J. OCNER / M

SOUTH FLORIDA

Martin Torres waited seven hours in line for a COVID-19 test at Hard Rock Stadium, an open-air venue best known as the home of the Miami Dolphins, while showing what he believed to be symptoms of the virus. When he finally reached the front, he was told he'd get results back in five days.

Two weeks later, he is still waiting.

“I am kind of in a limbo waiting for when I can have a response for that,” Torres said. “It’s important.”

In a statement responding to the demand in testing and the slower turnaround times, Quest Diagnostics, one of the major labs processing COVID-19 tests, said it will “continue to ramp up capacity to reach 150,000 molecular diagnostic tests a day.”

Florida, where the pandemic has recently spiked to nearly [370,000 confirmed cases](#), expanded testing capacity in response to problems surrounding testing access equity.

But being a resident of a lower-income neighborhood still presents a challenge in terms of getting a COVID-19 test.

The South Florida region, which the census refers to as the Miami urbanized area, contains at least part of Miami-Dade, Broward and Palm Beach counties, and has deep disparities in testing site availability in majority-Black, majority-Hispanic and majority-white neighborhoods, according to our analysis.

The neighborhoods included in the Miami urbanized area also have **massive economic inequality**, and disparities exist within different Hispanic communities. Yet the few testing sites in wealthy areas — such as Cooper City, a **majority-white town** located in Broward County just north of Miami-Dade — had a much smaller potential patient demand than sites in many of the more densely populated lower-income neighborhoods, many of which are majority Black or Hispanic.

On average, majority-Black areas had a potential community need 13 percent larger than majority-white census blocks. In majority-Hispanic areas, it was 29 percent larger, with the densely populated, predominantly Hispanic areas around South Miami showing a particularly high potential need.

Just 10 miles south of Cooper City is Miami Gardens, a predominantly Black area in Miami-Dade County where the median household income is **less than half** that of Cooper City. If residents there want to get a test, they have to travel to Hard Rock Stadium and wait in a line that officials have advised could be as long as four hours in a summer heat that sometimes nears 100 degrees.

The long lines cause other problems, too. On most days at the Hard Rock Stadium testing site, it is not uncommon for testing to temporarily pause due to lightning in the area or because a car waiting in line breaks down due to mechanical issues.

“We have seen cars run out of gas at some of the busier test sites, but we tell people that a little bit of planning and a lot of patience are required,” said Mike Jachals, a state spokesman for several of the federally supported testing sites across the state.

Lines at the Hard Rock Stadium testing site can stretch for hours, creating further problems as residents sit in the summer heat. MATIAS J. OCNER / MIAMI HERALD / TRIBUNE NEWS SERVICE VIA GETTY IMAGES

In an emailed statement to ABC News and FiveThirtyEight, a state emergency management spokesman said Florida “is continuing to increase COVID-19 testing daily.”

A spokesman for Miami-Dade Mayor Carlos Gimenez said the county has made “a concerted effort” to put more testing facilities in lower-income communities throughout the county. As part of that effort, new pop-up sites at the Joseph Caleb Center in central Miami and Harris Field Park in south Miami-Dade, both located in predominantly Black or Hispanic areas, have been installed.

In Miramar, a city of about 140,000 just north of the Hard Rock Stadium, there’s only one public COVID-19 testing center even though it happens to be the city with one of the largest percentages of Black people in Broward County. The city received the state funding necessary to open its first state-supported testing site just over a month ago, which local officials believe was far too late.

“Initially, I was very concerned, very upset,” said Miramar Mayor [Wayne Messam](#) in response to a question about the lack of urgency in establishing testing facilities in the city. “It was very disappointing and upsetting, but I was actually happy once we did get the call notifying me that we would have the site and since that determination was made, we’ve made the best of that site. It would have been ideal to have it up since the onset.”

The COVID-19 testing site at Dodgers Stadium is the largest city-funded site in Los Angeles, testing up to 6,000 per

SOUTHERN CALIFORNIA

After [touting a massive expansion](#) of testing and stable case counts earlier this summer, California has [in recent weeks been rolling back](#) on its earlier promise of easy access to testing for every resident.

Coronavirus hot spots in Southern California, in particular, are now putting back restrictions on community testing to prioritize symptomatic patients or those most at risk, such as nursing home residents and staff members.

Based on ABC News and FiveThirtyEight's analysis and reporting, communities of color and lower income-level neighborhoods in the San Diego and Los Angeles urbanized areas — where some of the biggest gaps in potential community need were seen between majority-white and majority-Black neighborhoods — are expected to suffer the most from the testing restrictions.

According to our analysis of site locations in mid-June, in both the San Diego and Los Angeles areas, majority-Black neighborhoods were estimated to have around 30 percent higher potential need than majority-white neighborhoods.

SAN DIEGO

In the San Diego urbanized area, much of which falls within the coastal section of San Diego County, many of the sites with lower potential patient demand are located in the predominantly white and wealthy neighborhoods along the northern part of the coast, while the sites expected to serve more people were all in the poorer, predominantly Black communities in the southern end of the city of San Diego.

Most of the community sites in San Diego County, which tend to be busier than private sites, are by appointment, county Health and Human Services Agency spokesperson Tim McClain said, and with the recent spike in cases people have had to make appointments a week or more in advance.

That was the case for Holly Young, who lives in La Mesa, a suburb just east of the city of San Diego. Young, 60, said she sought testing earlier this month after she discovered

that her son and his girlfriend had been in contact with a COVID-positive friend prior to seeing her.

She said her health care provider was unable to test her because she didn't show any symptoms, so she turned to a county testing site, for which she had to wait almost 10 days just to book an appointment and then drive an hour and 15 minutes to get to the site.

"I am in an essential industry, and part of my job is making the bank deposits, going to the post office and other routine tasks that were outside the business," said Young, who is a self-employed accountant with clients in retail. "So even though I was always masked, I still felt very vulnerable. I'm overweight, take blood pressure medication and I smoked for 20 years, so I am not at all confident I would survive COVID-19."

San Diego is offering widespread free and public testing access, but has been having difficulties keeping up with the increasing public demand in parts of the city. MIKE BLAKE / REUTERS

Young was tested on July 11, and told she'll get her results in five to seven business days. But she went off a two-week self-quarantine last Thursday, meaning she had to return to work before getting her test results.

The disparity in access to tests hasn't been lost on Young, who said she is on Obamacare and does not get health care from her job: "We all know people who just call their doctor and get a test the next day. It shouldn't be this way."

McClain said San Diego County is exceeding state guidelines and offers widespread free and public testing access, but intends to do more to meet increasing public demand and reach deeper into at-risk communities. As of July 6, the county was surpassing the state goal of 4,950 daily tests — 1.5 tests per day per every 1,000 residents — by 56 percent.

“As tests became more widely available in spring, the county placed the greatest concentration of testing in our communities of diversity, and those near the border, and continues to bring more sites online,” McClain said. “Testing access is widely dispersed but we intend to make it more convenient with new locations, will add sites to address hotspots and will bring more no-appointment locations online.”

LOS ANGELES

The Los Angeles area has also managed to at least narrow some of the disparities. The poorer urban centers of Los Angeles were estimated to have greater community need than the relatively wealthier suburbs outside the city, as well as in Pasadena, though to a lesser degree.

Since California Gov. Gavin Newsom announced an aggressive expansion of the statewide testing capacity back in late April, the state has also significantly ramped up testing in underserved communities, setting up close to 100 state-supported community sites in its communities of color and lower-income neighborhoods. According to our analysis, predominantly Asian communities actually had less potential demand than other groups, including white neighborhoods.

That expansion appears to have helped collapse testing disparities in the region, according to our analysis of testing data from the Los Angeles County Department of Public Health.

At the end of April, mostly white cities and communities in Los Angeles County had, on average, more than 1,200 tests completed per 100,000 people. That was more than 65 percent more completed tests than communities of color.

After Los Angeles Mayor Eric Garcetti announced [free COVID-19 testing for everyone in the county](#) and expanded testing operations, the number of tests administered tripled.

The Los Angeles Fire Department has set up free COVID-19 testing services to reach vulnerable populations in Los Angeles. AL SEIB / LOS ANGELES TIMES VIA GETTY IMAGES

A month later, the racial testing gap had shrunk to just 24 percent between the most-white areas and the least white. About 6,200 tests per 100,000 people were completed in whiter areas and about 5,000 tests per 100,000 people in less white areas, according to the analysis of the city's testing data.

There was a similar pattern in wealthier and poorer areas. At the end of April, people were tested at a rate 60 percent higher in areas where the median household income was in the top quartile versus the bottom quartile. But by May 31, that gap had shrunk to just 13 percent.

Since April, California has scaled up its statewide testing capacity from just 2,000 tests per day to more than 100,000 now, and has completed nearly 4.8 million tests since the pandemic began, the state's health department spokesperson told ABC News and FiveThirtyEight.

As cases and hospitalizations hit new records in the past couple weeks, however, the state is again struggling with testing capacity. The governor last week issued [a new advisory to hospitals and labs](#), asking them to prioritize testing turnaround for individuals who are most at risk of spreading the virus to others, including those in nursing homes and congregate living settings.

The Castlight data analysis has helped shed light on the racial, ethnic and income disparities in the allocation of COVID-19 testing resources, and ABC News and FiveThirtyEight's reporting shows how gaps created by systemic inequity in the health care system continue to persist even as states, cities and counties step up efforts to address them.

As cases rise and states across the country begin to face testing constraints, more local governments and private providers say they are considering going back to prioritizing testing access to symptomatic patients and those most at risk. In some places, such as [Sacramento](#), Calif., and [Omaha](#), Neb., testing sites are even closing because of supply shortages. This is expected to create additional strain on testing for underserved communities as state or county-sponsored public sites and labs further limit testing access.

“Our response to COVID is a reflection of the existing biases we have in our healthcare system,” said John Brownstein, the epidemiologist at Harvard Medical School. “While governments are trying to close the gap, we still have a long way to go to make sure Americans have equal access to testing resources.”

For Dr. Ala Stanford and her colleagues at the Black Doctors COVID-19 Consortium in Philadelphia, the choice early on was clear: adjust to a new normal of life indoors, or move swiftly to implement testing on the streets of Philadelphia to combat a virus that was proving deadly to Black communities.

Stanford says she felt compelled to respond as she did because she knew that the same health care disparities she learned about in medical school, and as a practicing doctor,

were still at play in Philadelphia during the coronavirus crisis — the city in which she’s spent her entire life.

“I stopped and said to myself: I’m a business owner in private practice, I have access, I can order these lab kits like anybody else, I know where the people are that are hurting,” she said. “And I am not afraid to go there.”

ABC News’ Briana Stewart and FiveThirtyEight’s Rachael Dottle contributed reporting.

CLARIFICATION (July 23, 2020, 3:50 p.m.): This story has been updated to avoid using the phrase “people of color” for Hispanic people, some of whom are white.

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Footnotes

1. ABC News owns FiveThirtyEight.
2. We used the U.S. Census Bureau’s [census block group](#) — the smallest unit for which we could obtain demographic data — to represent neighborhoods. We are also using census definitions for categorizing [race and ethnicity](#). White refers to non-Hispanic white people and Black refers to non-Hispanic Black people.
3. We’re focusing only on big cities here because in examining the data, we found that the issues in other parts of the country are different; the farther you get out of cities, the more distance becomes the biggest limiting factor, rather than patient demand. The data set provided by Castlight contained some sites that shared geographic coordinates, and Castlight indicated that many of these might be duplicates. Running our analysis both with and without the duplicates yielded extremely similar results. We are displaying the analysis without the duplicates.

EXHIBIT 9

Coronavirus Disease 2019 (COVID-19)

[MENU >](#)

Health Equity Considerations and Racial and Ethnic Minority Groups

Health Equity Considerations & Racial & Ethnic Minority Groups

Updated July 24, 2020

[Print](#)

Long-standing systemic health and social inequities have put many people from racial and ethnic minority groups at increased risk of getting sick and dying from COVID-19. The term “racial and ethnic minority groups” includes people of color with a wide variety of backgrounds and experiences. But some experiences are common to many people within these groups, and [social determinants of health](#) have historically prevented them from having fair opportunities for economic, physical, and emotional health. ^[1]

There is increasing evidence that some racial and ethnic minority groups are being disproportionately affected by COVID-19. ^{[2], [3], [4], [5], [6]} Inequities in the social determinants of health, such as poverty and healthcare access, affecting these groups are interrelated and influence a wide range of health and quality-of-life outcomes and risks. ^[1] To achieve health equity, barriers must be removed so that everyone has a fair opportunity to be as healthy as possible.

Factors that contribute to increased risk

Some of the many inequities in social determinants of health that put racial and ethnic minority groups at increased risk of getting sick and dying from COVID-19 include:

- **Discrimination:** Unfortunately, discrimination exists in systems meant to protect well-being or health. Examples of such systems include health care, housing, education, criminal justice, and finance. Discrimination, which includes racism, can lead to chronic and toxic stress and shapes social and economic factors that put some people from racial and ethnic minority groups at increased risk for COVID-19. ^{[5], [7], [8], [9]}
- **Healthcare access and utilization:** People from some racial and ethnic minority groups are more likely to be uninsured than non-Hispanic whites. ^[10] Healthcare access can also be limited for these groups by many other factors, such as lack of transportation, child care, or ability to take time off of work; communication and language barriers; cultural differences between patients and providers; and historical and current discrimination in healthcare systems. ^[11] Some people from racial and ethnic minority groups may hesitate to seek care because they distrust the government and healthcare systems responsible for inequities in treatment ^[12] and historical events such as the Tuskegee Study of Untreated Syphilis in the African American Male and sterilization without people’s permission. ^{[13], [14], [15], [16]}
- **Occupation:** People from some racial and ethnic minority groups are disproportionately represented in essential work settings such as healthcare facilities, farms, factories, grocery stores, and public transportation. ^[17] Some people who work in these settings have more chances to be exposed to the virus that causes COVID-19 due to several factors, such as close contact with the public or other workers, not being able to work from home, and not having paid sick days. ^[18]
- **Educational, income, and wealth gaps:** Inequities in access to high-quality education for some racial and ethnic minority groups can lead to lower high school completion rates and barriers to college entrance. This may limit future job options and lead to lower paying or less stable jobs. ^[19] People with limited job options likely have less flexibility to leave jobs that may put them at a higher risk of exposure to the virus that causes COVID-19. People in these situations often cannot

may put them at a higher risk of exposure to the virus that causes COVID-19. People in these situations often cannot afford to miss work, even if they're sick, because they do not have enough money saved up for essential items like food and other important living needs.

- **Housing:** Some people from racial and ethnic minority groups live in crowded conditions that make it more challenging to follow prevention strategies. In some cultures, it is common for family members of many generations to live in one household. In addition, growing and disproportionate unemployment rates for some racial and ethnic minority groups during the COVID-19 pandemic^[19] may lead to greater risk of eviction and homelessness or sharing of housing.

These factors and others are associated with more COVID-19 cases, hospitalizations, and deaths in areas where racial and ethnic minority groups live, learn, work, play, and worship.^{[5],[10], [20], [21]} They have also contributed to higher rates of **some medical conditions** that increase one's risk of severe illness from COVID-19. In addition, community strategies to slow the spread of COVID-19 may cause unintentional harm, such as lost wages, reduced access to services, and increased stress, for some racial and ethnic minority groups.^[22]

What We Can Do

The COVID-19 pandemic may change some of the ways we connect and support each other. As individuals and communities respond to COVID-19 recommendations and circumstances (e.g., school closures, workplace closures, social distancing), there are often unintended negative impacts on emotional well-being such as loss of social connectedness and support. Shared faith, family, and cultural bonds are common sources of social support. Finding ways to maintain support and connection, even when physically apart, can empower and encourage individuals and communities to **protect themselves, care for those who become sick, keep kids healthy, and better cope with stress.**

Community- and faith-based organizations, employers, healthcare systems and providers, public health agencies, policy makers, and others all have a part in helping to promote fair access to health. To prevent the spread of COVID-19, **we must work together** to ensure that people have resources to maintain and manage their physical and mental health, including easy access to information, affordable testing, and medical and mental health care. We need programs and practices that fit the communities where racial and minority groups live, learn, work, play, and worship.

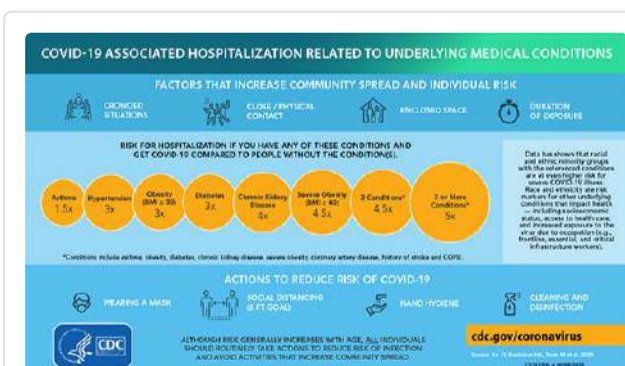
Data on COVID-19 and Race and Ethnicity

CDC resources

- [CDC COVID Data Tracker](#)
- [COVID-NET: A Weekly Summary of U.S. COVID-19 Hospitalization Data](#)
- [COVIDView: A Weekly Surveillance Summary of U.S. COVID-19 Activity](#)

Other resources

- [The COVID Tracking Project's The COVID Racial Data Tracker](#) [↗](#)
- [Emory University's COVID-19 Health Equity Interactive Dashboard](#) [↗](#)



COVID-19 Associated Hospitalization Related to Underlying Medical Conditions




















COVID-19 Hospitalization and Death by Age




COVID-19 Hospitalization and Death by Race/Ethnicity


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COVID-19

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Last Updated July 24, 2020

EXHIBIT 10

COVID-19 Update

Learn about our [expanded patient care options](#)

(<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/for-johns-hopkins-patients.html>) for your health care needs.

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(<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/covid-19-self-checker.html>) | [Donate and Lend](#)

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(<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/extraordinary-people/index.html>) | [Get Email Alerts](#)

(<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/newsletter>).

Health

(<https://www.hopkinsmedicine.org/health>).

Coronavirus in African Americans and Other People of Color

 [Infectious Diseases](https://www.hopkinsmedicine.org/health/conditions-and-diseases/infectious-diseases) (<https://www.hopkinsmedicine.org/health/conditions-and-diseases/infectious-diseases>)

Featured Experts:

[Sherita Hill Golden, M.D., M.H.S.](#)

(<https://www.hopkinsmedicine.org/health/conditions-and-diseases/infectious-diseases/coronavirus/coronavirus-what-if-i-feel-sick>)

The [coronavirus](https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/coronavirus-what-if-i-feel-sick) (<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/coronavirus-what-if-i-feel-sick>) pandemic is having an impact all over the world, but a disturbing trend is evident in the U.S.: People of color, particularly African Americans, are experiencing more serious illness and death due to COVID-19 than white people.

Why is this happening? [Sherita Golden, M.D., M.H.S.](#)

(<https://www.hopkinsmedicine.org/health/conditions-and-diseases/infectious-diseases/coronavirus/coronavirus-what-if-i-feel-sick>), a

specialist in endocrinology, diabetes and metabolism, and [chief diversity officer at Johns Hopkins Medicine](#)

(<https://www.hopkinsmedicine.org/health/conditions-and-diseases/infectious-diseases/coronavirus/coronavirus-what-if-i-feel-sick>), provides insight into this complex issue.

Disproportionate Rates of COVID-19 Illness and Death in Black Communities

According to media reports, in Chicago, where African Americans comprise a third of the city's population, they account for half of those who have tested positive for the coronavirus, and almost three-quarters of COVID-19 deaths.

Likewise, in Milwaukee County, Wisconsin, African Americans make up 70% of deaths due to the coronavirus, but just 26% of the county's population.

These examples are not exceptional, and the trend is not limited to African Americans. Golden says, "While much of the focus has been on African Americans disproportionately contracting and dying from COVID-19, other minority populations are also adversely affected, including Latinx/Hispanic and Native American communities."

Any person who believes that he or she has COVID symptoms and has not been referred for testing should advocate and persist to have it done.

— Sherita Golden, M.D., M.H.S.

Coronavirus Risk Factors and People of Color

"These communities share common social and economic factors, already in place before the pandemic, that increase their risk for COVID-19," Golden says. Those factors include:

Living in crowded housing conditions. "Crowded living conditions are a difficult challenge that is the result of longstanding racial residential segregation and prior redlining policies," Golden says. "It is difficult for 10 individuals living in a three-room apartment to appropriately physical distance." She says advocacy on these broader policy issues could help prevent future disparities in disease outcomes.

Working in essential fields. Golden notes that people working in environmental services, food services, the transportation sector and home health care cannot work from home. These positions put workers in close contact with others.

Inconsistent access to health care due to lack of insurance or underinsurance. Being able to afford doctors' visits, medications and equipment to manage chronic disease is essential to lowering the risk of death from COVID-19 and other conditions. For instance, a patient with badly controlled diabetes or asthma due to inconsistent treatment is more at risk for severe, even deadly, coronavirus infection.

Chronic health conditions. Golden points out that people of color have a higher burden of chronic health conditions associated with a poor outcome from COVID-19, including diabetes, heart disease and lung disease. In a [study](https://www.hopkinsmedicine.org) (https://www.hopkinsmedicine.orghttps://www.cdc.gov/mmwr/volumes/69/wr/mm6915e3.htm?s_cid=mm6915e3_w) cited by the U.S. Centers for Disease Control and Prevention (CDC), about 90% of those hospitalized with severe COVID-19 had at

least one of these underlying medical condition

(<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/coronavirus-and-covid19-who-is-at-higher-risk>) (<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/coronavirus-and-covid19-who-is-at-higher-risk>).

Stress and immunity. Studies have proved that stress has a physiological effect on the body's ability to defend itself against disease. Income inequality, discrimination, violence and institutional racism contribute to chronic stress in people of color that can wear down immunity, making them more vulnerable to infectious disease.

How to Fight Racial Disparity in the COVID-19 Pandemic

Instituting fair housing policies, improving employment opportunities and taking other steps to mitigate economic inequality will benefit people of color in the next health emergency, but Golden says there are ways to reduce sickness and mortality in vulnerable populations right now.

Targeted COVID-19 Messaging

"Because there is currently not a vaccine or anti-viral treatment for COVID-19, physical distancing, hand-washing and wearing masks are crucial public health interventions to prevent the spread of the disease to these vulnerable populations," Golden says. This message is straightforward, but how it's delivered makes a difference.

"We need to use some novel approaches to promoting physical distancing (<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/coronavirus-social-distancing-and-self-quarantine>) messages through social media campaigns. Physical distancing messages should be translated into multiple languages in a culturally sensitive manner, and at a literacy level that allows all at risk to understand the information," Golden says. (Golden has driven efforts at Johns Hopkins to collaborate with language services to translate coronavirus materials into Spanish.)

She adds that messaging should address and discourage the stigma associated with COVID-19, which she says prevents symptomatic people from seeking medical attention until they are dangerously ill.

"Of particular concern in the immigrant community is the myth that seeking medical attention will make it more difficult for people to obtain a green card in the future. This is not true, and that message needs to be communicated," Golden says.

Coronavirus (COVID-19) Self-Checker

Check symptoms. Protect yourself. Get information.

Coronavirus Testing for People of Color

"We need to ensure that all symptomatic individuals are referred for COVID-19 testing, particularly African American, Latinx/Hispanic and Native American individuals," Golden says.

She says anecdotal data suggest that people from vulnerable populations who have COVID-19 symptoms may not be referred for testing as frequently as their white counterparts. Lack of testing could mean further spread and more patients not seeking medical help until they are seriously ill.

"Any person who believes that he or she has COVID symptoms and has not been referred for testing should advocate and persist to have it done," Golden says.

Making COVID-19 testing available for those who do not have primary care physicians or transportation is a must. "That effort would involve organization of public health approaches to provide transportation to existing testing sites, and setting up testing sites directly in community hot spots so that symptomatic individuals and their contacts can be tested," Golden says.

At the state and federal level, leaders like Golden are uncovering more factors behind racial health disparity in general, and in the COVID-19 pandemic in particular. One key to improving equity is gathering more accurate race-, ethnic- and neighborhood-specific data. Knowing who is affected by the coronavirus and who is bearing the most burden is critical to addressing imbalances in testing and treatment.

Coronavirus (COVID-19)

What you need to know from Johns Hopkins Medicine.

Posted April 20, 2020

Related

[What Is Coronavirus?](https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus)

(<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus>)

[Coronavirus Symptoms: Frequently Asked Questions](https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/coronavirus-symptoms-frequently-asked-questions)

(<https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/coronavirus-symptoms-frequently-asked-questions>)

[Proper Facemask Wearing Infographic](https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/proper-mask-wearing-coronavirus-prevention-infographic)

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EXHIBIT 11



POVERTY STATUS IN THE PAST 12 MONTHS

Note: This is a modified view of the original table produced by the U.S. Census Bureau. This download or printed version may have missing information from the original table.

	Texas	
	Total	
Label	Estimate	Margin of Error
▼ Population for whom poverty status is determined	28,074,573	±7,348
▼ AGE		
▼ Under 18 years	7,310,961	±8,875
Under 5 years	1,983,171	±7,428
5 to 17 years	5,327,790	±8,180
Related children of householder under 18 years	7,285,370	±9,418
▼ 18 to 64 years	17,248,984	±6,863
18 to 34 years	6,717,820	±10,337
35 to 64 years	10,531,164	±9,993
60 years and over	5,036,878	±15,355
65 years and over	3,514,628	±5,764
▼ SEX		
Male	13,835,779	±10,843
Female	14,238,794	±11,600
▼ RACE AND HISPANIC OR LATINO ORIGIN		
White alone	20,695,054	±43,156
Black or African American alone	3,379,971	±22,568
American Indian and Alaska Native alone	145,864	±12,482
Asian alone	1,410,236	±9,906
Native Hawaiian and Other Pacific Islander alone	20,700	±3,085
Some other race alone	1,682,673	±36,992
Two or more races	740,075	±21,996
Hispanic or Latino origin (of any race)	11,172,900	±7,048
White alone, not Hispanic or Latino	11,633,748	±9,189
▼ EDUCATIONAL ATTAINMENT		
▼ Population 25 years and over	18,135,150	±11,602
Less than high school graduate	2,864,121	±33,484

Table Notes

POVERTY STATUS IN THE PAST 12 MONTHS

Survey/Program:

American Community Survey

Year:

2018

Estimates:

1-Year

Table ID:

S1701

Source: U.S. Census Bureau, 2018 American Community Survey 1-Year Estimates

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.

Dollar amounts are adjusted to respective calendar years. For more information, see: [Change to Income Deficit](#).

While the 2018 American Community Survey (ACS) data generally reflect the July 2015 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas, in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineations due to differences in the effective dates of the geographic entities.

Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Explanation of Symbols:

An "***" entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.

An "-" entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the

median estimates falls in the lowest interval or upper interval of an open-ended distribution, or the margin of error associated with a median was larger than the median itself.

An "-" following a median estimate means the median falls in the lowest interval of an open-ended distribution.

An "+" following a median estimate means the median falls in the upper interval of an open-ended distribution.

An "***" entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.

An "*****" entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.

An "N" entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.

An "(X)" means that the estimate is not applicable or not available.

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Technical Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

EXHIBIT 12



Across Texas and the nation, the novel coronavirus is deadlier for people of color

New data on Texas coronavirus fatalities reveals stark racial disparities.

BY EMMA PLATOFF AND CARLA ASTUDILLO JULY 30, 2020 UPDATED: 7 PM



Juan Lopez wheels a stretcher out of the back of his vehicle in McAllen. Across Texas and the nation, the novel coronavirus is deadlier for communities of color and low-income communities. Miguel Gutierrez Jr./The Texas Tribune

Correction: On July 30, the state said an “automation error” caused approximately 225 deaths to be incorrectly added to the overall death count; a subsequent quality check by Department of State Health Services epidemiologists revealed COVID-19 was not the direct cause of death in these cases. The numbers and charts in this story have been updated to account for this error and are current as of July 30.

Texas’ southernmost county, Cameron, is home to just 1.5% of the state’s population, but it accounts for nearly 5% of its known COVID-19 fatalities.

Cameron County — where 89% of residents are Hispanic and nearly a third live below the poverty line — stands out as just one stark example of widespread disparities in COVID-19 outcomes. Across Texas and the nation, the novel coronavirus is deadlier for communities of color and low-income communities.

These disparities, and a wealth of other demographic information, became more apparent this week when [new tallying methods](#) at the state health agency revealed a more complete picture of who has died in Texas and where. Trends showing that Black and Hispanic individuals had been disproportionately hit by the virus were clear nationally and apparent in local snapshots, but until earlier this week, the Texas Department of State Health Services' limited demographic data had [clouded](#) the picture of those disparities statewide.

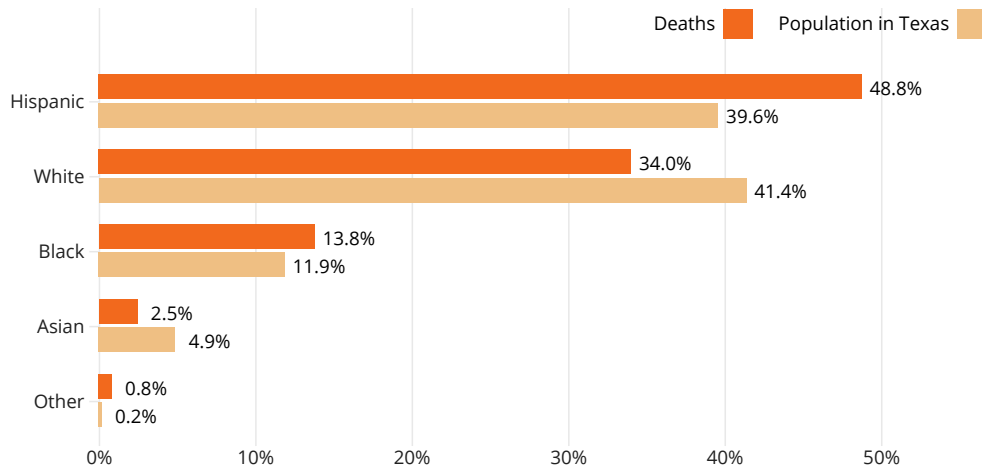
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Hispanic Texans make up about 40% of the state's population, but they account for 49% of its known COVID-19 fatalities. Black Texans also appear slightly overrepresented in the fatality toll, representing 14% of fatalities but just 12% of the state population. Texas reported a total of 6,274 fatalities Thursday evening.

By contrast, white and Asian Texans died at lower rates relative to their share of the state's population.

Percentage of coronavirus deaths by race and ethnicity

Hispanic Texans make up the largest percentage of coronavirus deaths at nearly 49% while making up only about 40% of the Texas population. About 66% of Texans who have died of coronavirus were people of color.



Correction: On July 30, the state said an “automation error” caused approximately 225 deaths to be incorrectly added to the overall death count; a subsequent quality check by Department of State Health Services epidemiologists revealed COVID-19 was not the direct cause of death in these cases. The numbers in this story have been updated to account for this error and are current as of July 30.

Note: The “Other” race category includes those who were reported as multi-racial or some other race. Four deaths were either reported as unknown or the race and ethnicity category were left blank.

Source: Texas Department of State Health Services, U.S. Census Bureau 2018 population estimates

Credit: Carla Astudillo

Sometimes called the great equalizer, the novel coronavirus has been anything but — a deadly reality in a state like Texas, where the Hispanic population is expected to become the largest group in the state by mid-2021.

The disparities should not have been a surprise, said Jamboor Vishwanatha, director of the Texas Center for Health Disparities at the University of North Texas Health Science Center.

“What COVID did is essentially shined a bright light on existing disparities,” Vishwanatha said, citing disparities in rates of preexisting conditions like diabetes and cardiovascular issues, as well as social factors like income inequality and access to health care. “You would expect something like this to happen.”

Research has found that higher-paid employees are more likely to have the option to work from home, and that Black and Hispanic employees are less likely to be able to work remotely. In Texas and across the country, front-line employees like janitors, grocery clerks and transit workers are more likely to be women and people of color, an Associated Press analysis of U.S. Census Bureau data revealed.

That’s forced low-income workers and people of color to risk their health at work, exposing them to the virus while others earn a paycheck from home.

“Many of these folks, particularly early on, were exposed to the disease,” Dr. Georges Benjamin, executive director of the American Public Health Association, said Wednesday at an event put on by The Academy of Medicine, Engineering and Science of Texas.

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Benjamin said a higher prevalence of chronic illnesses like hypertension and heart disease is contributing to disparities.

Geography has also played a role. Many of Texas' deadliest hot spots have emerged in communities of color: among immigrant workforces at the [meatpacking plants](#) in the Panhandle; in Houston, one of the country's most diverse cities; and in the Rio Grande Valley, where the population is majority Hispanic.

In general, most deaths have been recorded where most Texans live — in big cities like Houston, Dallas, San Antonio, El Paso and Austin. But some counties, like Cameron and Hidalgo in the Rio Grande Valley, are mourning an outsized number of people relative to their population. Both counties are about 90% Hispanic.

Even in bigger urban areas, some whiter, wealthier counties seem to be faring better than poorer counties with more diverse populations. Travis County has some 400,000 more residents than El Paso County but fewer deaths, according to state data. According to census data, Travis County is about half white and a third Hispanic, with a median household income around \$76,000 annually; El Paso County is 83% Hispanic, with a median household income around \$44,000 annually.

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Share of coronavirus fatalities in 10 counties with most deaths

Coronavirus deaths have been mostly reported in larger counties. However, some counties like Hidalgo and Cameron with a majority Hispanic population are overrepresented in the percentage of deaths.

County where Hispanics make up largest population group

County	Total deaths	Share of total deaths	Share of Texas population
Harris		19.2%	16.4%
Dallas		9.7%	9.2%
Bexar		8.7%	6.9%
Tarrant		5.7%	7.3%
Hidalgo		5.0%	3.0%
Cameron		4.8%	1.5%
El Paso		3.7%	2.9%
Travis		3.5%	4.4%
Fort Bend		2.2%	2.7%
Galveston		1.5%	1.2%

Correction: On July 30, the state said an "automation error" caused approximately 225 deaths to be incorrectly added to the overall death count; a subsequent quality check by Department of State Health Services epidemiologists revealed COVID-19 was not the direct cause of death in these cases. The numbers in this story have been updated to account for this error and are current as of July 30.

Source: Texas Department of State Health Services, U.S. Census Bureau 2018 population estimates

Credit: Carla Astudillo

And the virus' true death toll is almost certainly higher than reported; for experts, the question is by how much.

The state may be showing a particular undercount in Hidalgo, a majority-Hispanic county in the Rio Grande Valley that is being ravaged by COVID-19. County health officials, using local medical records, report 576 deaths; the state, now relying on death certificates, revised its tally for the county down from over 450 to 312. Local officials said the difference is caused by delays in the issuance of death certificates.

Meanwhile, Vishwanatha said, access to testing has been more limited in communities of color.

Pointing to local data from North Texas, Vishwanatha said there is a disparity between communities of color and white groups not only in chance of getting infected but also in chance of dying from the disease. The gulf is even wider for mortality rate than it is for infection rate.

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“We are currently facing a critical situation where some of our communities are really suffering. We need to do everything to overcome these disparities. But hopefully this COVID situation has brought out something that we should have been tackling all along — how to overcome these chronic health disparities that our communities suffer,” Vishwanatha said.

Disclosure: The UNT Health Science Center has been a financial supporter of The Texas Tribune, a nonprofit, nonpartisan news organization that is funded in part by donations from members, foundations and corporate sponsors. Financial supporters play no role in the Tribune's journalism. Find a complete list of them [here](#).

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EXHIBIT 13

x

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Some say that recent delays in the mail are part of an effort by President Trump to sabotage mail-in ballots in the November election. | Paul Ratje/AFP/Getty Images

What's wrong with the mail

As November nears, the Postal Service is facing a crisis that could interfere with the election.

By [Adam Clark Estes](#) | [@adamclarkestes](#) | [ace@recode.net](#) | Updated Aug 18, 2020, 2:21pm EDT

The United States Postal Service is dealing with crippling backlogs of letters and packages. A postmaster in upstate New York recently told their union that the regular

mail was two days behind and, for the first time in their career, Express Priority Mail was not going out on time. Despite a surge in package delivery during the pandemic, postal workers are no longer able to work overtime, and fewer mail trucks are on the road. If your own mail seems delayed or unpredictable, it's not a one-off problem.

Mail service has been disrupted nationwide in recent weeks due to a series of factors. While the USPS has been suffering financially for years, the coronavirus pandemic has delivered an existential threat to the agency. The self-funded Postal Service has been seeking billions in aid from Congress — an effort that's been stymied by President Trump, who has long had a contentious relationship with the USPS and has pushed to privatize it. And now, the USPS is adjusting to cost-cutting policies put in place by its new postmaster general, Louis DeJoy, who is a top Trump donor and longtime Republican fundraiser.

The policies include eliminating overtime for postal workers, limiting the number of mail trucks, and removing hundreds of sorting machines from postal facilities, including those in battleground states like Pennsylvania, Michigan, and Florida. DeJoy also implemented a major restructuring of the Postal Service that, according to the Washington Post, “deemphasizes decades’ worth of institutional postal knowledge” and “centralizes power around DeJoy.” These abrupt changes have led to delays in the delivery of everything from paychecks to prescriptions. There’s also widespread concern that these delays could interfere with the November election, when a record number of people are expected to vote by mail due to the pandemic.

Given the facts and the president’s ongoing public criticism of mail-in voting, many are accusing Trump of intentionally kneecapping the Postal Service in an attempt to sabotage the election, as he trails Joe Biden in the polls. In mid-August, Trump himself admitted to holding back funding for the USPS in order to limit mail-in voting. Soon thereafter, news emerged that the Postal Service had sent a letter to 46 states and Washington, DC, in late July warning that it could not guarantee their mail-in ballots would be delivered in time to be counted.

Democrats in Congress are investigating the new postmaster’s policies and working to secure funding for the USPS. Speaker Nancy Pelosi called the House back early from its summer recess to vote on a Postal Service bill, and DeJoy has agreed to testify before the Oversight Committee on August 24. “Lives, livelihoods and the life of our American

Democracy are under threat from the President,” she said in a letter that referred to DeJoy as a “complicit crony.” Meanwhile, two Democrats on the House Judiciary Committee are urging the FBI to open a criminal investigation into DeJoy, and at least six state attorneys general are exploring lawsuits to prevent the Trump administration from delaying mail ahead of the election.

Postmaster General DeJoy responded to criticism of his new initiatives in an August 18 statement. Pointing broadly to working toward “significant reforms” of the Postal Service, he said, “To avoid even the appearance of any impact on election mail, I am suspending these initiatives until after the election is concluded.” The statement also said that postal workers’ overtime would be “approved as needed” and that processing equipment and collection boxes “will remain where they are.” DeJoy did not say whether any actions taken under earlier policies would be reversed or whether any of the dozens of sorting machines already removed from postal facilities would be returned before the election.

All of this means the future of the Postal Service is in jeopardy. It was actually in big trouble months ago, when postal leaders warned that, without intervention from Congress, the USPS could run out of cash as soon as September. What’s happening now is even more urgent. Decisions being made by Trump allies are leading to delays that could motivate the Postal Service’s biggest customers to send their packages through competitors like UPS and FedEx. And according to some, the strategy could have devastating consequences.

“It is unimaginable to think of an America without the Postal Service,” said John McHugh, chairman of the Package Coalition, a trade group that counts Amazon and eBay as members. “But if things go toward a worst-case scenario in this instance, which is entirely possible, that’s what would have to occur.”

The story of how we got here is complicated, and there is disagreement about what’s really going on. However, according to postal leaders and Democrats, the way to fix the mail in time for the election involves an infusion of cash and an end to the delays. Even then, the Postal Service faces a tough road ahead.

The Postal Service’s controversial new policies, explained

It's tempting to blame all of the Postal Service's service problems on the new postmaster general, DeJoy, but it wouldn't be entirely fair. After years of money problems tied to a decline in certain types of mail and an obligation to prefund its retirement benefits, the USPS suffered a very serious financial blow when the pandemic hit.

Starting in March, the volume of first-class mail began to plummet (though a surge in package delivery has helped make up for that lost revenue). Meanwhile, tens of thousands of postal workers got sick or began quarantining, leading to a labor shortage and the need for more overtime hours. The Postal Service also spent hundreds of millions of dollars on personal protective equipment (PPE) and on retrofitting post offices with more plexiglass and more space for social distancing.

This is why postal leaders asked Congress for \$75 billion when the CARES Act was being negotiated in April. (This is not something the USPS likes to do, by the way. It's been 40 years since the Postal Service took taxpayer dollars.) In response, President Trump called the Postal Service "a joke" and threatened to veto the bill if it included any money for the USPS. Despite the president's attempts to avoid giving the Postal Service any money at all, the agency ended up making an agreement with Treasury Secretary Steven Mnuchin for a \$10 billion loan with strict terms.



Postmaster General Louis DeJoy met with congressional leaders as well as Treasury Secretary Steven Mnuchin and White House Chief of Staff Mark Meadows in the Capitol on August 5. | Caroline Brehman/CQ-Roll Call, Inc/Getty Images

Postmaster General DeJoy took office in mid-June amid the coronavirus crisis. It's worth pointing out that DeJoy was not appointed by President Trump. He was appointed by the six members of the Postal Service Board of Governors, all of whom were appointed by Trump. And it was after DeJoy got to work that the mail delays began, according to multiple postal service-related union leaders and trade groups interviewed by Recode.

DeJoy, a former logistics executive with no Postal Service experience, started his new gig by launching a series of pilot programs designed to slash USPS spending. Multiple postal worker unions reported that DeJoy's policies limited mail transportation, causing mail to be left at the sorting plant for days longer than it normally would. Meanwhile, a crackdown on overtime hours meant that sorting machines are shut down before the day's work is done. ("If the plants run late, they will keep the mail for the next day," read one USPS memo obtained by the Washington Post.) The Postal Service also began the process of decommissioning 10 percent of its mail-sorting machines, which are designed to process flat mail, like letters and ballots. As a result, mail is sitting undelivered across the country.

In response to questions about the recent issues, USPS spokesperson David Partenheimer used variations of the word "efficient" six times in explaining how the agency is adjusting its operations. "Of course we acknowledge that temporary service impacts can occur as we redouble our efforts to conform to the current operating plans," Partenheimer said, "but any such impacts will be monitored and temporary, as the root causes of any issues will be addressed as necessary and corrected as appropriate."

It's not entirely clear how temporary the delays will be. In fact, none of the postal workers Recode spoke to were exactly sure what the new policies entailed, since DeJoy and his lieutenants did not communicate the details of the pilot programs to the unions or to individual postmasters.

"In the field, we don't have the details — only that we can't approve overtime, only the district manager can," explained a postmaster who runs a post office in the Northeast and spoke on the condition of anonymity as they're not authorized to speak to the press. "I'm in a delivery unit, so I can't speak for delayed mail in a plant. But by cutting the overtime, it would certainly delay a lot of mail."

Individual managers might be selectively enforcing the new rules, they said, but with such poor communication from DeJoy, it's hard to tell exactly what's happening. The postmaster, who is a 20-year veteran of the USPS, added, "Amazon parcels are given priority over everything at a national level."

None of this confusion has helped DeJoy win any popularity contests in his short tenure as postmaster general.

Some call DeJoy "a crony," and many are scrutinizing his background and political ties. As a former logistics executive, DeJoy ran companies that counted the USPS as a client, and his family has invested \$30.1 million to \$75.3 million in USPS competitors or contractors, including UPS. DeJoy is also a celebrated Republican party fundraiser who contributed over \$1.5 million to Trump's campaigns in 2016 and 2020. His wife, Aldona Wos, served as ambassador to Estonia in the George W. Bush administration and has been nominated by President Trump to be the next ambassador to Canada.

Others want to give DeJoy a chance. After all, he did take on a tough job at a struggling agency in the middle of a pandemic.



Postal workers and unions say new policies from the postmaster general restrict overtime and lead to mail being left behind. | Paul Ratje/AFP/Getty Images

“Just to be honest, we’re very suspicious of this new postmaster general. We have a healthy bit of skepticism,” said Jim Sauber, chief of staff for the National Association of Letter Carriers. “But I know my boss and officers are not going to level charges that we can’t substantiate, and we’re not gonna jump to a conclusion until we can get a better fix on this.”

Democratic leaders in Congress seem less accommodating with regard to what DeJoy has done so far. After the new postmaster general confirmed the details of the operational changes to the Postal Service in their early August meeting, Senate Minority Leader Chuck Schumer and House Speaker Nancy Pelosi demanded that DeJoy reverse the new policies. The Democrats said this and preserving funds for the Postal Service are essential for a deal on a new coronavirus relief package.

Still, even if the Postal Service does get an infusion of cash — you might call it a bailout — the agency’s future remains uncertain. Whatever damage to the reputation of the USPS that’s being done now stands to affect the broader perception of the agency under the new postmaster general. We might be hearing more about privatizing the Postal Service in the future, whether we like it or not.

Trump’s campaign against voting by mail

Considering DeJoy’s connections to Trump and the Republican Party and the reports of worsening mail delays with the election approaching, many are afraid that the president is plotting to rig the election in November by casting doubt on the dependability of mail-in voting.

“The Trump administration’s ongoing campaign to sabotage the US Postal Service is a direct attack on our democracy,” Rep. Gerry Connolly (D-VA), chairman of the Subcommittee on Government Operations, which oversees the USPS, told Recode. “Rural and urban, Democrat, Republican, or independent, every American has come to rely on the Postal Service, and our election is increasingly dependent on it. Congress must with one voice and clear action ensure service standards are not allowed to falter.”

Delays and political connections aside, we don’t have much hard evidence of a Trump-led plot to overthrow the Postal Service. It does look bad that the USPS appears to be facing an existential crisis just weeks after a Trump donor took over as postmaster general. It looks worse that the president has spent months attacking the broader use of

The Postal Service and postal unions are quick to point out that they take mail-in voting very seriously, and the process for delivering ballots is tried and tested.

“The Postal Service has always given special attention to mail ballots,” said Sauber. “In general, in most places in the country, during election time, if the Postal Service has mail ballots, they move heaven and earth to make sure it’s delivered. They give top priority to the ballots.”

“We’ve been doing mail ballots as postal workers for generations,” said Mark Dimondstein, president of the American Postal Workers Union. “It’s been increasing in popularity. In the last election, 31 million people voted by mail. There’s virtually no fraud.”

Individual states can update their laws governing mail-in voting before November. Aware of this fact, the Trump campaign has sued state and local governments across the country over mail-in ballot rules. One suit, in Pennsylvania, argues that mail-in ballot drop boxes — which are designed to handle ballots, look like mailboxes, and are monitored closely — are unconstitutional and should be removed. Another lawsuit from the Trump campaign and other Republicans seeks to overturn a new law in Nevada that would require the state to mail everyone a ballot.

Still, assuming all laws remain as they are, disrupting the Postal Service is an obvious way to hinder the mail-in ballot process. If slowing down the mail isn’t enough on its own, even creating a perception of problems with the mail could be enough to discourage some Americans from mail-in voting. And it looks like Trump is being effective at doing this — perhaps too effective. A June-July poll suggested that some voters in Florida, Pennsylvania, and Michigan have become so distrustful of mail-in voting that they might rather not vote at all than rely on mail-in ballots. Not long after this poll was published, Trump assured voters in Florida that mail-in voting was safe there.

“We’ll be able to deliver. There won’t be a problem with vote-by-mail,” said Ronnie Stutts, president of the National Rural Letter Carriers’ Association. “I think even President Trump is starting to see that. I think he’s lightened up a little bit.”

The most anxiety-inducing part of all this is that there seems to be little for the average American to do. The Postal Service is an independent agency, and there's only so much Congress can do to shape its policies. Rep. Carolyn Maloney (D-NY), chair of the House government oversight committee, and House leaders are calling on DeJoy and Robert Duncan, chair of the Postal Service Board of Governors to testify on August 24. Democrats in the Senate are also pressing DeJoy to reverse his new policies, which they say would disenfranchise millions of American voters.



The Postal Service is asking Congress for \$25 billion in cash, which is far less than the \$500 billion it gave to big corporations in the CARES Act. | Greg Whitesell/Getty Images

But again, the Postal Service's problems extend well beyond Trump's war on vote-by-mail. The election will come and go, and there's a decent chance the USPS will still be in trouble. Depending on how negotiations go around the new coronavirus stimulus package, these recent delays could continue. Growing backlogs mean the mail delays could actually get worse in the weeks and months to come. Ongoing delays could chase big package senders like Amazon and eBay away from the USPS, and without that revenue, the Postal Service would be in even more serious trouble. After all, these customers have long been concerned about whether it might be better for their business to go through UPS or FedEx.

What the Postal Service needs right now — both to deliver mail and to keep existing — is money. What it needs in the long term, some say, is a bit of restructuring.

“If you think of the analogy of a house, it needs to be remodeled,” said Arthur B. Sackler, manager of the Coalition for a 21st Century Postal Service, whose members include not only Amazon and eBay but also catalog and greeting card companies. “And, at the same time, this house you’re remodeling, the roof is on fire. So you’ve got to put the fire out first before you can remodel.”

The vast majority of Americans do not want to let the house burn down, by the way. Americans don’t just rely on the Postal Service. They love it.

For years, the USPS has been the most popular government agency in the United States. According to a Pew Research Center study released in April, 91 percent of Americans have a favorable opinion of the Postal Service, and roughly the same percentage of Americans want to bail out the agency. Similarly, countless companies that do business with the Postal Service are fans. Online retailers, including Amazon, even spent millions of dollars on an ad campaign begging lawmakers to save the Postal Service.

These facts leave us with a very curious situation. The Postal Service is seriously struggling, but it’s never been more important. It’s critical to get prescriptions to the homes of people during a pandemic and to deliver ballots to state election boards. It’s even prized by huge corporations like Amazon, who could easily give their money to a competing private company but would rather work with the Postal Service. At the same time, President Trump seems to disdain the agency, and the new postmaster general seems to be doing more harm than good.

The upshot of it all is that the USPS has survived difficult moments in the past. The agency can trace its roots back to the days of the American Revolution. Two and a half centuries later, mail service has never been more essential. If anything, a crisis like this could serve to remind the country how much it needs the Postal Service, despite what a handful of powerful people might believe.

Additional reporting by Jason Del Rey.

Correction: A previous version of this story misstated the first name of Treasury Secretary Steven Mnuchin.

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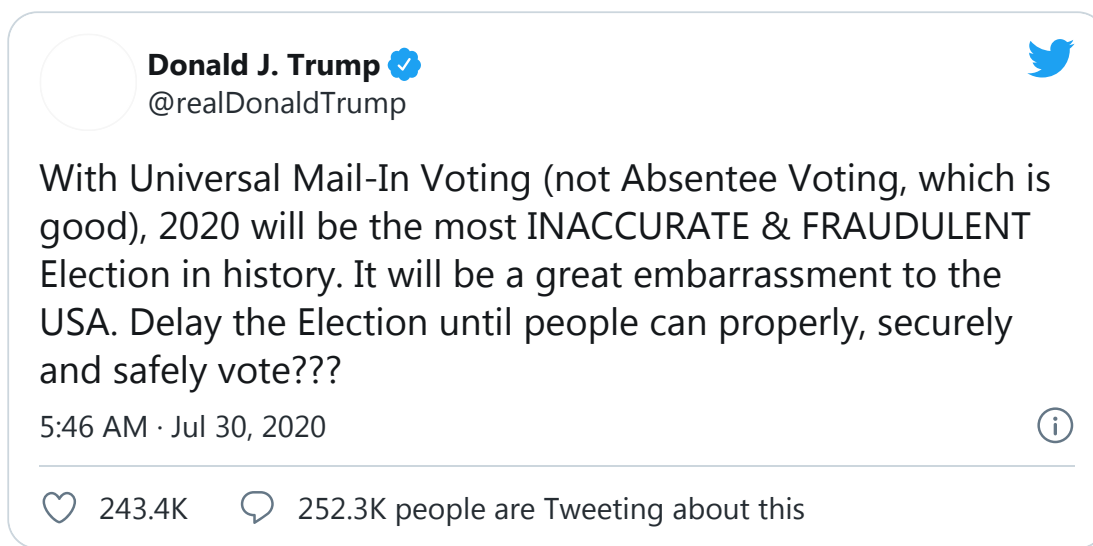
Inside the get-rich-quick scheme that cost Amazon sellers thousands — and then got them banned

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mail-in voting, even threatening executive action to stop it. But these things don't quite add up to proof of a conspiracy against the Postal Service.

“The notion that the postmaster general makes decisions concerning the Postal Service at the direction of the president is wholly misplaced and off-base,” Partenheimer, the USPS spokesperson, told Recode. “With regard to election mail, the Postal Service remains fully committed to fulfilling our role in the electoral process when public policymakers choose to utilize the mail as a part of their election system, and to delivering election mail in a timely manner consistent with our operational standards.”

Still, Trump seems to be doing everything he can to undermine American voters' confidence in mail-in voting. There are so many tweets:



And that might be all he needs to discourage people from voting by mail.

Different states have different laws about how mail-in ballots work. Currently, 34 states — including swing states like Arizona, Michigan, Minnesota, Pennsylvania, and Wisconsin — require ballots to be received by election authorities by Election Day, so any delay in the mail could lead to untold numbers of votes going uncounted. Rules about when states count the mail-in ballots also vary, so results are bound to be delayed in states like New York, where ballots can only be counted after the polls close. It's especially discouraging for voters that postal leaders felt the need to warn states that delays around Election Day could be so bad that voters could be disenfranchised.

EXHIBIT 14

COVID-19 Event Risk Assessment Planning Tool

RISK ESTIMATES BY COUNTY	REAL-TIME US AND STATE-LEVEL ESTIMATES	EXPLORE US AND STATE-LEVEL ESTIMATES	CONTINUOUS RISK ESTIMATES	
PREVIOUSLY RELEASED CHARTS	TUTORIAL	DATA SOURCE	PRESS	ABOUT

This map shows the risk level of attending an event, given the event size and location.

The risk level is the estimated chance (0-100%) that at least 1 COVID-19 positive individual will be present at an event in a county, given the size of the event.

Based on seroprevalence data, we assume there are ten times more cases than are being reported (10:1 ascertainment bias). In places with more testing availability, that rate may be lower.

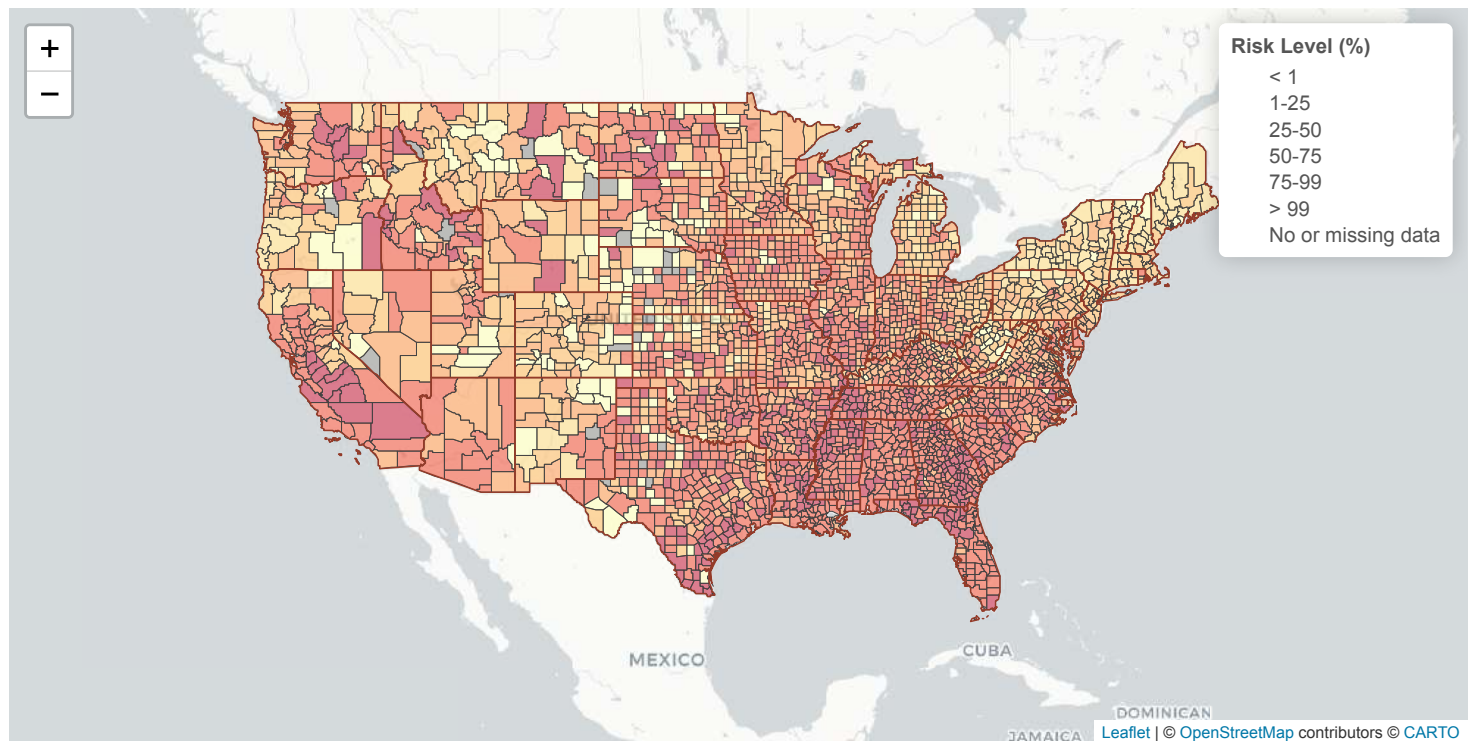
Choose an event size and ascertainment bias below.

Event Size:



Select Ascertainment Bias

10 5



(Note: This map uses a Web Mercator projection that inflates the area of states in northern latitudes. County boundaries are generalized for faster drawing.)

The COVID-19 Event Risk Assessment Planning Tool is a collaborative project led by Prof. Joshua Weitz (<https://ecotheory.biosci.gatech.edu/>) and Prof. Clio Andris (<http://friendlycities.gatech.edu/>) at the Georgia Institute of Technology, along with researchers at the Applied Bioinformatics Laboratory (<https://www.abil.ihr.com/>) and Stanford University (<https://knight-hennessy.stanford.edu/program/scholars/2019/mallory-harris>), and powered by RStudio (<https://rstudio.com/>).

EXHIBIT 15

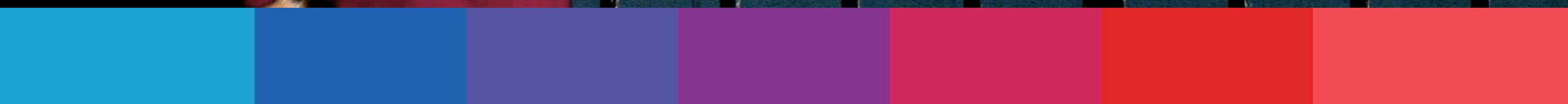


Democracy

Diverted

Polling Place Closures and the Right to Vote

September 2019



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The Education Fund was founded in 1969 as the education and research arm of The Leadership Conference on Civil and Human Rights, the nation's oldest and largest civil and human rights coalition of more than 200 national organizations. Because of our unique role in leading coalitions, we are able to create public education campaigns that leverage a range of diverse voices to empower and mobilize advocates at the local, state, and federal levels. For five decades, we have served as a force multiplier and amplified the call for a just, inclusive, and fair democracy. At The Education Fund, we believe an informed public is not only necessary to achieve civil and human rights, but also to make sure those rights endure. By activating the power of the coalition, The Education Fund and our partners can share innovative research and information around the country — and ultimately, shift the narrative on civil and human rights.

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Introduction

The Voting Rights Act of 1965 (VRA), a landmark achievement of the civil rights movement, is known as one of the most effective civil rights laws in American history. Years of struggle for the right to vote culminated in Bloody Sunday, the infamous day in 1965 when civil rights advocates, including U.S. Rep. John Lewis, were brutally beaten as they marched across the Edmund Pettus Bridge in Selma, Alabama, to demand equal access to the ballot box — a pivotal moment in the campaign for civil rights that led to the enactment of the VRA months later. Before the VRA, Black voters were prevented from participating in the political system due to literacy tests, poll taxes, voter intimidation tactics, and violence. In the mid-1950s, only 25 percent of African Americans were registered to vote, and the registration rate was even lower in some states. In Mississippi, for example, fewer than 5 percent of African Americans were registered to vote.¹ Those rates rose quickly after the VRA was enacted. By 1970, almost as many African Americans were registered to vote in Alabama, Mississippi, Georgia, Louisiana, North Carolina, and South Carolina as had been in the entire century before 1965.² Like African Americans, Native Americans, Latinos, and Asian Americans have also faced voter discrimination and low voter registration rates. It wasn't until 1975, when Congress amended the VRA, that certain jurisdictions were required to provide bilingual election materials and voting assistance.³

¹ See U.S. COMM'N ON CIVIL RIGHTS, AN ASSESSMENT OF MINORITY VOTING RIGHTS ACCESS IN THE UNITED STATES 171 (2018), https://www.usccr.gov/pubs/2018/Minority_Voting_Access_2018.pdf

² See *Shelby Cty. v. Holder*, 570 U.S. 529, 562 (2013) (Ginsburg, J., dissenting).

³ See U.S. COMM'N ON CIVIL RIGHTS, AN ASSESSMENT OF MINORITY VOTING RIGHTS ACCESS IN THE UNITED STATES 34 (2018), https://www.usccr.gov/pubs/2018/Minority_Voting_Access_2018.pdf

The Heart of the Voting Rights Act

Often described as the “heart” of the VRA, Section 5⁴ played a critical role in dismantling the systemic discrimination against voters of color that was prevalent throughout the South. This section, also known as the preclearance provision, allowed the U.S. Department of Justice (DOJ) and the U.S. District Court for the District of Columbia to block states and localities (*i.e.*, “covered jurisdictions”⁵) with a history of discrimination from implementing voting changes that could disenfranchise voters of color. In enacting Section 5, “Congress had found that case-by-case litigation was inadequate to combat widespread and persistent discrimination in voting, because of the inordinate amount of time and energy required to overcome the obstructionist tactics invariably encountered in these lawsuits. After enduring nearly a century of systematic resistance to the Fifteenth Amendment, Congress ... decide[d] to shift the advantage of time and inertia from the perpetrators of the evil to its victims.”⁶ Section 5 guaranteed that voting changes were public, transparent, analyzed, and evaluated before they were implemented, ensuring they would not discriminate against voters on the basis of race or language. While the VRA applies to the entire country, Section 5 was reserved for jurisdictions with the most pervasive patterns of discrimination: Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas, and Virginia. A selection of counties in California, Florida, Michigan, New York, North Carolina, and South Dakota were also covered and were required to submit their voting changes for approval.⁷ In addition to its preventive powers, preclearance deterred state and local jurisdictions from suppressing the voting power of growing communities of color.

⁴ Under Section 5 of the VRA, jurisdictions with a demonstrated record of racial discrimination in voting were required to submit all proposed voting changes to the U.S. Department of Justice or the U.S. District Court in Washington, D.C., for “preclearance” in advance of implementation. The jurisdictions were required to prove that the proposed voting change would not deny or adversely affect the right to vote on the basis of race, color, or an eligible voter’s membership in a language minority group. Preclearance was a crucial element of the VRA because it ensured that no new voting law or practice, such as closing or moving a polling place, would be implemented in a place with a history of racial discrimination in voting unless that law was first determined not to discriminate against voters of color. However, in *Shelby*, the U.S. Supreme Court invalidated the formula that determined which states and jurisdictions are covered by Section 5 of the VRA and thus are required to undergo preclearance. Without that determination, the preclearance provision essentially became inoperable.

⁵ States and localities required to submit their voting changes for federal approval were: Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas, and Virginia, and counties in California, Florida, Michigan, New York, North Carolina, and South Dakota. Counties and townships in a few other states were removed from coverage through the “bailout” provision in Section 4(a) of the VRA.

⁶ *South Carolina v. Katzenbach*, 383 U.S. 301, 328 (1966).

⁷ See Jurisdictions Previously Covered by Section 5, U.S. DEPT OF JUSTICE CIVIL RIGHTS DIV., <https://www.justice.gov/crt/jurisdictions-previously-covered-section-5> (last updated Aug. 6, 2015).

Shelby County v. Holder's Devastating Impact

Despite the VRA's success in combating voting discrimination, the U.S. Supreme Court struck down its coverage formula in *Shelby County v. Holder* in 2013. In so doing, justices rendered the VRA's most powerful provision — the Section 5 preclearance system — inoperable, opening the door to racial discrimination across the country at every juncture of the electoral process. At the time, Justice Ruth Bader Ginsburg foresaw the devastating impact the loss of preclearance would have on voting rights in communities of color. “Throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet,”⁸ she wrote in her dissenting opinion.

Since *Shelby*, a growing number of states and localities across the country have attempted to suppress voter participation among Black and Brown communities in various ways. States have shortened voting hours and days, enacted new barriers to voter registration, purged millions of eligible voters from the rolls, implemented strict voter identification laws, reshaped voting districts, and closed polling places. Many of these changes have been found to discriminate against Black and Brown voters.⁹ Courts have, in fact, found intentional discrimination in at least 10 voting rights decisions since *Shelby*.¹⁰ In 2016, the U.S. Court of Appeals for the Fourth Circuit described North Carolina's voter ID law as “the most restrictive voting law North Carolina has seen since the era of Jim Crow” and said its provisions “target African Americans with almost surgical precision.”¹¹ And in 2017, a federal court ruled that Texas' 2013 congressional redistricting maps were enacted with “racially discriminatory intent” against Latino and Black voters.¹²

**Since *Shelby*,
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⁸ See *Shelby Cty. v. Holder*, 570 U.S. 529, 590 (2013) (Ginsburg, J., dissenting).

⁹ See generally, *N.C. State Conf. of the NAACP v. McCrory*, 831 F.3d 204, 214 (4th Cir. 2016); *Perez v. Abbott*, 274 F. Supp. 3d 624, 652, 686 (W.D. Tex. 2017).

¹⁰ Letter from Sherrilyn Ifill, President & Dir. Counsel, NAACP Legal Def. Fund, to Bob Goodlatte, Chair, U.S. House Comm. on the Judiciary (Sep. 7, 2017) (on file with author).

¹¹ *N.C. State Conf. of the NAACP v. McCrory*, 831 F.3d 204, 214 (4th Cir. 2016).

¹² See *Perez v. Abbott*, 274 F. Supp. 3d 624, 652, 686 (W.D. Tex. 2017).

The absence of Section 5 has made it increasingly difficult to identify harmful voting changes before they take effect because states and localities are no longer required to notify federal officials of changes to voting laws. To track discrimination against voters of color, advocates need a fine-grained understanding of changing electoral processes in states and localities across the nation, especially in those with histories of discrimination. In the absence of Section 5, they no longer have the means of achieving that knowledge. Section 5's prophylactic power came from its recognition that the "harms" of voting discrimination can never be truly redressed. Once an election is held, there is no do-over.

The wave of voter suppression since *Shelby* suggests that restoring the VRA and erecting additional safeguards to protect voters from racial discrimination must be a top legislative priority. When Congress wrote and passed the VRA, it understood that racial discrimination in voting morphs and changes over time; hence, the creation of Section 5. The myriad tactics now used to restrict electoral participation are just as pernicious as the poll taxes and literacy taxes of the 20th century. Congress can — and must — address this problem by restoring and strengthening the VRA.

Congress can — and must — address this problem by restoring and strengthening the VRA.

Rise in Polling Place Closures Since *Shelby*

The national media have focused on discriminatory changes in voting policy and practice, such as the increase in photo identification requirements, purges from voting rolls, and reductions in rates of early voting. Yet poll closures have received little attention, even though they are a common and particularly pernicious way to disenfranchise voters of color. Decisions to shutter or reduce voting locations are often made quietly and at the last minute, making pre-election intervention or litigation virtually impossible. Closing polling places has a cascading effect, leading to long lines at other polling places, transportation hurdles, denial of language assistance and other forms of in-person help, and mass confusion about where eligible voters may cast their ballot. For many people, and particularly for voters of color, older voters, rural voters, and voters with disabilities, these burdens make it harder — and sometimes impossible — to vote.

Before *Shelby*:

States and localities were required to notify voters of any planned polling place closures well ahead of time. State and local officials were also required to prove that proposed voting changes would not have a discriminatory effect on Black, Latino, Asian American, or Native American voters, and they were required to give the DOJ data from the U.S. Census Bureau about the racial impact of polling closures.¹³ The DOJ would then reach out to the community to obtain information about the impact of the proposed voting change.¹⁴

Since *Shelby*:

Jurisdictions are no longer required to notify voters of changes, and the DOJ does not have to analyze the impact of proposed voting changes on communities of color in Section 5 jurisdictions. To identify potentially discriminatory polling place relocations or closures and precinct changes, voters now must rely on reports from the news media, social media, and/or local advocates who attend city and county commission meetings or legislative sessions where these changes are made. In most cases, closures go unnoticed, unreported, and unchallenged.

¹³ See U.S. COMM'N ON CIVIL RIGHTS, AN ASSESSMENT OF MINORITY VOTING RIGHTS ACCESS IN THE UNITED STATES 169 (2018), https://www.usccr.gov/pubs/2018/Minority_Voting_Access_2018.pdf

¹⁴ See U.S. COMM'N ON CIVIL RIGHTS, AN ASSESSMENT OF MINORITY VOTING RIGHTS ACCESS IN THE UNITED STATES 47 (2018), https://www.usccr.gov/pubs/2018/Minority_Voting_Access_2018.pdf

While all poll closures do not prove discrimination, they merit heightened scrutiny, given this country's sordid history of excluding voters of color from the political process. Context matters. There may be legitimate reasons to reduce the number of polling places, perhaps because of a population decrease or reduced demand for Election Day voting because of increases in early or mail-in voting. When polling place reductions are planned in concert with diverse communities, evaluated in advance to ensure they won't harm voters of color, and take place with clear notice and transparency, they can be implemented equitably. Before *Shelby*, states and localities with clear records of voter discrimination — like those discussed in this report — were required to take these steps when consolidating polling places. Today, they are not.



Polling Place Closures Today

The surge in voting changes at the state and local level after *Shelby* catalyzed the need for a systemic examination of poll closures and other seemingly innocuous changes that could have negatively impacted voters of color. In 2016, The Leadership Conference Education Fund identified 868 polling place closures in former Section 5 jurisdictions in our initial report, *The Great Poll Closure*.¹⁵ This report is both an update to — and a major expansion of — our original publication.

Our first report drew on a sample of fewer than half of the approximately 860 counties or county-equivalents that were once covered by Section 5. This report covers an expanded data set of 757 counties. What's more, *The Great Poll Closure* relied on voluntary reports of aggregate numbers of polling places that state election officials gave to the U.S. Election Assistance Commission. This report relies largely on independent counts of polling places from public records requests and publicly available polling place lists.

In this report, we found 1,688 polling place closures between 2012 and 2018, almost double the 868 closures found in our 2016 report. Additionally, *Democracy Diverted* analyzes the reduction of polling places in the formerly covered Section 5 jurisdictions in the years between the 2014 and 2018 midterm elections. We found 1,173 fewer polling places in 2018 — despite a significant increase in voter turnout. To better understand the potentially discriminatory impact of these closures, additional analysis beyond what is included in this report must be completed at the precinct level. This analysis — precisely the kind that the DOJ conducted under preclearance — takes time and resources. Our hope is that journalists, advocates, and voters will use this county-level polling place data to scrutinize the impact of poll closures in their communities, to understand their impact on voters of color, and to create a fairer and more just electoral system for all.

¹⁵ See THE LEADERSHIP CONFERENCE EDUCATION FUND, THE GREAT POLL CLOSURE 7 (Nov. 2016), <http://civilrightsdocs.info/pdf/reports/2016/poll-closure-report-web.pdf>.

Our hope is that journalists, advocates, and voters will use this county-level polling place data to scrutinize the impact of poll closures in their communities, to understand their impact on voters of color, and to create a fairer and more just electoral system for all.

Summary of Methodology

This report examines 757 (or nearly 90 percent) of the approximately 860 counties and county-level equivalents once covered by Section 5. Our sample includes only those jurisdictions where The Education Fund was able to acquire accurate polling place lists or counts from state or local election officials or reputable media sources for general elections in 2012, 2014, 2016, and/or 2018. Counties where we could not obtain reliable data (Virginia and three from Texas) were excluded from the analysis. More detail on methodology is available at the end of this report.

Summary of National Findings



We found 1,688 polling place closures in places once covered by Section 5 of the Voting Rights Act. Of the 757 counties in our study, 298 (39 percent) reduced the number of polling places between 2012 and 2018. Because presidential elections tend to have higher turnout rates than midterms, we analyzed the data to determine whether the number of polling places varied to meet the different demands of each type of election. They did not. Most (69 percent) closures (–1,173)¹⁶ occurred after the 2014 midterm election.

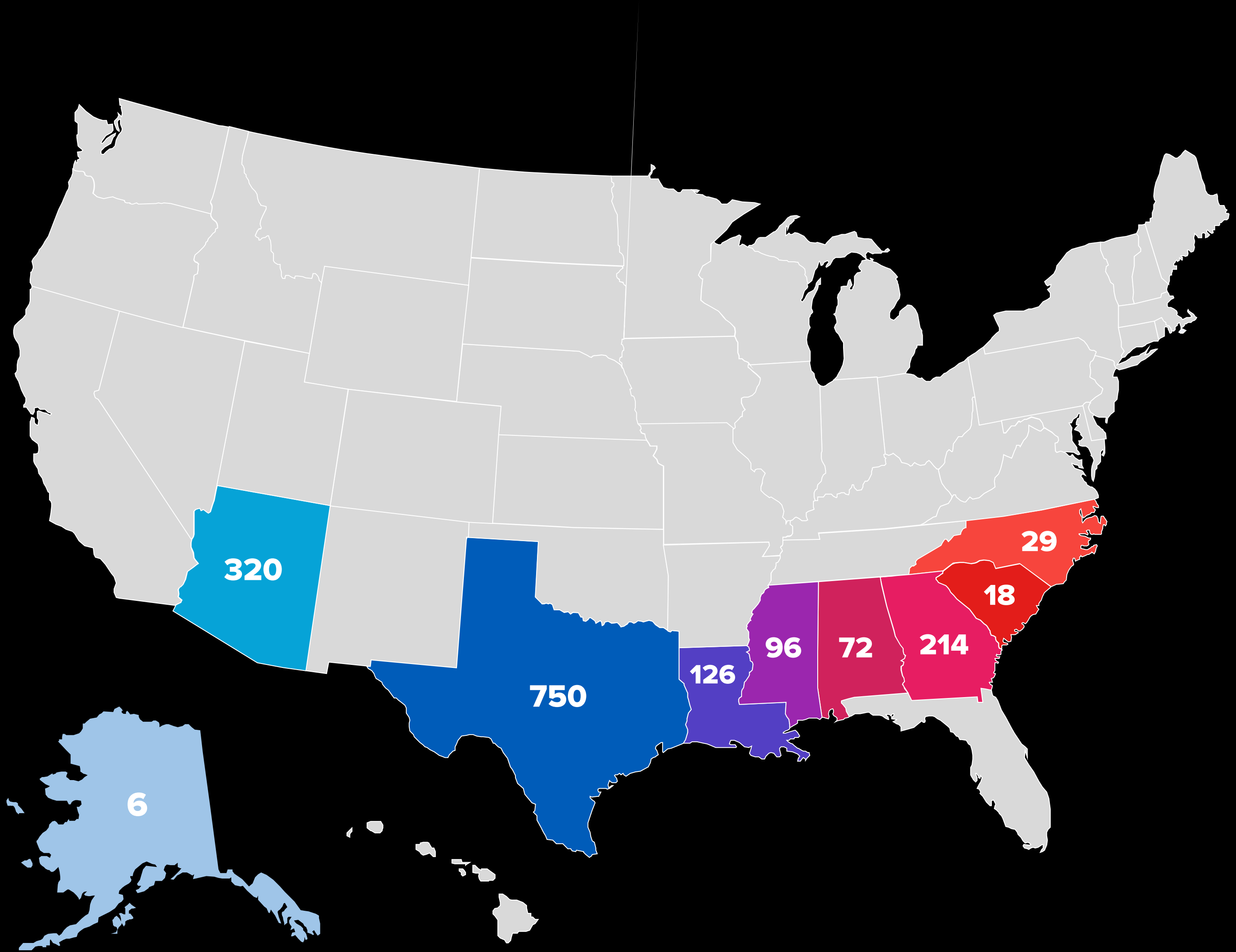
The *Shelby* decision paved the way for systematic statewide efforts to reduce the number of polling places in Texas (–750), Arizona (–320), and Georgia (–214). Quieter efforts to reduce the number of polling places without clear notice or justification spread throughout Louisiana (–126), Mississippi (–96), Alabama (–72), North Carolina (–29), and Alaska (–6).

Our analysis also found that South Carolina (–18) is unique among southern states in that it has state laws for polling place changes. Despite barriers to voting in other contexts, South Carolina has closed relatively few polling places since *Shelby*.

Though not inherently discriminatory, these polling place closures occurred in states and localities with past histories of racial discrimination in voting. And some took place amid a larger constellation of efforts to prevent voters of color from electing the candidates of their choice, such as enactment of stricter voter identification laws, restrictions on voter registration, and voter purges.

¹⁶ Throughout this report, we refer to polling place reductions using the minus sign (–).

Polling place closures since *Shelby*



The Nation's Megaclosers

Our analysis uncovered statewide efforts to reduce polling places across Texas, Arizona, and Georgia — all states with rapidly growing and diversifying electorates. Each state stands out for the volume, scale, and breadth of its polling place closures.

The 10 counties that closed the most polling places by number are all located in Texas, Arizona, and Georgia.



Texas

Closures.....750
 Latino.....39%
 Black.....12%



Arizona

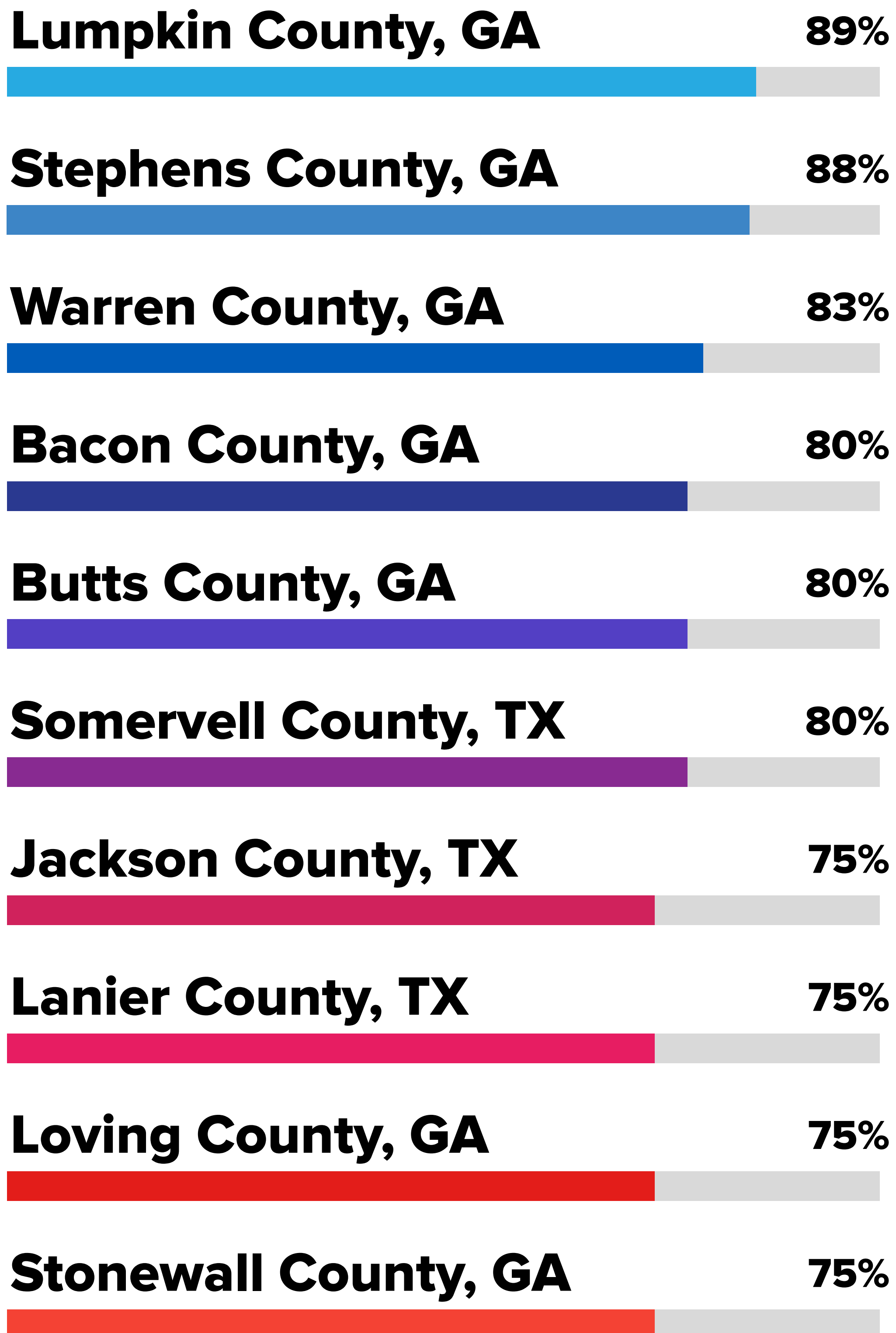
Closures.....320
 Latino.....30%
 Black.....4%
 Native American...4%



Georgia

Closures.....214
 Latino.....9%
 Black.....31%

Top Ten Closers by Percentage



Top Ten Closers by Total Numbers

Maricopa County, AZ	171
Dallas County, TX	74
Travis County, TX	67
Harris County, TX	52
Brazoria County, TX	37
Nueces County, TX	37
Mohave County, AZ	34
Cochise County, AZ	32
Pima County, AZ	31
McLennan County, TX	31



Texas

Texas, a state where 39 percent of the population is Latino and 12 percent is African American,¹⁷ has closed 750 polling places since *Shelby*, by far the most of any state in our study. Five of the six largest closers of polling places are in Texas. With 74 closures, Dallas County, which is 41 percent Latino and 22 percent African American, is the second largest closer of polling places, followed by Travis County, which is 34 percent Latino (–67). Harris County, which is 42 percent Latino and 19 percent African American (–52), and Brazoria County, which is 13 percent African American and 30 percent Latino (–37), tied with Nueces County, which is 63 percent Latino (–37).¹⁸ Many, but not all, of these polling places were closed as part of a statewide effort to centralize voting into “countywide polling places.” This effort slashed the number of voting locations but allowed voters to cast ballots at any Election Day polling place. Without Section 5 of the VRA, we cannot assess the impact these mass closures have on communities of color.



Arizona

Arizona, a state where 30 percent of the population is Latino, 4 percent is Native American,¹⁹ and 4 percent is African American, has the most widespread reduction (–320) in polling places. Almost every county (13 of 15 counties) closed polling places since preclearance was removed — some on a staggering scale. Maricopa County, which is 31 percent Latino, closed 171 voting locations since 2012 — the most of any county studied and more than the two next largest closers combined. Many Arizona counties shuttered significant numbers of polling places, including Mohave, which is 16 percent Latino (–34); Cochise, which is 35 percent Latino (–32); and Pima, which is 37 percent Latino (–31).²⁰

¹⁷ Texas is 39 percent Latino, 12 percent African American, .2 percent Native American and 1.4 percent Asian American; For all U.S. Census data referenced in this report, we rounded to the nearest whole number. All Census data is from the 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.

¹⁸ See 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.

¹⁹ Arizona is 30 percent Latino, 4 percent African American, 4 percent Native American, and 3 percent Asian American.

²⁰ See 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.



Georgia

Georgia, a state where 31 percent of the population is African American and 9 percent is Latino, has 214 fewer polling places.²¹ Georgia stands out because its counties have closed higher percentages of voting locations than any other state in our study. The top five closers of polling places by percentage were Georgia counties: The top three counties in the state were Lumpkin (89 percent closed); Stephens (88 percent closed); and Warren, which is 61 percent African American (83 percent closed). Bacon County, which is 15 percent African American, and Butts County, which is 28 percent African American, tied with 80 percent closed.²² Seven counties with major polling place reductions now have only one polling site to serve hundreds of square miles. In a February 2015 memo, the office of Brian Kemp, who was then serving as Georgia’s secretary of state, encouraged counties to consolidate voting locations. He specifically spelled out twice — in bold font — that “as a result of the *Shelby vs. Holder* [sic] Supreme Court decision, [counties are] no longer required to submit polling place changes to the Department of Justice for preclearance.”²³

²¹ Georgia is 31 percent African American, 9 percent Latino, .1 percent Native American, and 4 percent Asian.

²² See 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.

²³ Memorandum from Ga. Sec’y of State Elections Div. to Ga. Local Election Officials 3, 5 (Feb. 2015) (on file with author).

Out of Sight, Out of Mind

Polling place closures in Louisiana, Mississippi, Alabama, and North Carolina follow a similarly troubling trend: Most took place out of public sight and were therefore out of the public's mind. Polling place closures happened largely without clear notice; transparency about how or why they were made; or approval from impacted voters or community stakeholders. In fact, news reports about polling place closures in all four states were often met with silence from elected officials. Many either did not respond to requests for comment;²⁴ responded but did not provide meaningful information;²⁵ or responded with false information.²⁶

By far, the most common justification for closing polling places was no justification at all. Local officials who did offer an explanation often cited pretexts, such as budget constraints, compliance with the Americans with Disabilities Act (ADA), school safety concerns, limited parking, changes in voter turnout, or even simple logic. As one election commissioner from Mississippi put it, sometimes closing polling places “just makes sense.”²⁷

²⁴ See Mary Sell, In Some Counties, Alabama Voters Have Lost a Quarter of Their Polling Places Since 2010, BIRMINGHAM WATCH (Nov. 2, 2018), <https://birminghamwatch.org/counties-alabama-voters-lost-quarter-polling-places-since-2010/>.

²⁵ See Charles Maldonado, Many New Orleans Voters are Still Driving Farther to Vote than Before Katrina, THE LENS (Nov. 8, 2016), <https://thelensnola.org/2016/11/08/many-new-orleans-voters-are-still-driving-farther-to-vote-than-before-katrina/>.

²⁶ See Anna Wolfe & Alex Rozier, Free From Federal Oversight, 5 Percent of Mississippi Polling Locations Have Closed Since 2013, MISS. TODAY (Oct. 24, 2018), <https://mississippitoday.org/2018/10/24/free-from-federal-oversight-5-percent-of-mississippi-polling-locations-have-closed-since-2013/>.

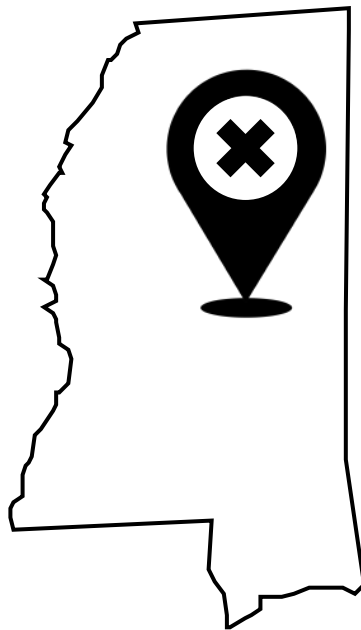
²⁷ See Anna Wolfe & Alex Rozier, Free From Federal Oversight, 5 Percent of Mississippi Polling Locations Have Closed Since 2013, MISS. TODAY (Oct. 24, 2018), <https://mississippitoday.org/2018/10/24/free-from-federal-oversight-5-percent-of-mississippi-polling-locations-have-closed-since-2013/>.





Louisiana

In Louisiana, two-thirds of all parishes closed polling places, leaving voters with 126 fewer places to vote than in 2012. The biggest closer was Jefferson Parish, which is 26 percent African American and 14 percent Latino. That parish first shuttered 23 voting locations in 2015 for lack of compliance with the ADA. Instead of making low-cost modifications or relocating those polling places in subsequent elections, the parish shuttered two more in advance of the 2018 election — a deeply troubling trend in a parish with an established record of hostility toward voting rights.²⁸ Equally concerning, voters in East Baton Rouge Parish, which is split about evenly between Black and White voters, have lost 10 polling places since 2012. Initially, many closures were said to be a temporary response to emergency flooding in 2016.²⁹ But years later, these polling places have yet to reopen. That follows a troubling trend that began in Orleans Parish, which has yet to restore many of the polling places that were closed in 2005 in the aftermath of Hurricane Katrina.



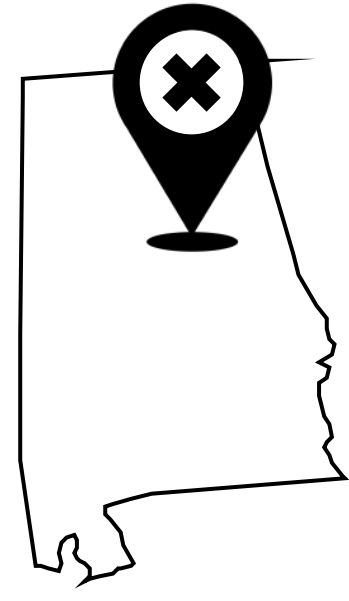
Mississippi

In Mississippi, a state where more than one-third (37 percent) of the population is African American,³⁰ the number of polling places has dropped by 96 since 2012, with closures spread among 31 of the state's 82 counties. Harrison County, which is about one-quarter (24 percent) African American, and Pearl River County, which is 13 percent African American, were the largest closers in the state — each closing 13 polling places. The cuts would have been much worse in Pearl River had it not been for community pushback to a 2017 plan to slash the number of voting locations from 33 to 12. After months of negotiation, officials agreed to a compromise plan to move forward and keep 20 polling places open.

²⁸ See U.S. COMM'N ON CIVIL RIGHTS, AN ASSESSMENT OF MINORITY VOTING RIGHTS ACCESS IN THE UNITED STATES 171 (2018), https://www.usccr.gov/pubs/2018/Minority_Voting_Access_2018.pdf.

²⁹ See Kevin Dupuy, Temporary Voting Locations Approved for EBR Precincts, WBRZ (Oct. 10, 2016 3:15PM), <http://www.wbrz.com/news/temporary-voting-locations-approved-for-ebr-precincts>.

³⁰ Mississippi is 37 percent African American, 3 percent Latino, 1 percent Asian American, and .4 percent Native American.



Alabama

Alabama, a state where more than a quarter (26 percent) of the population is African American,³¹ now has 72 fewer polling places after 23 counties reduced voting locations.³² These closures did not receive much media coverage, leaving voters with little information about why local polling places were closed. Those few news stories that were published, on the other hand, caused confusion. County officials, for example, claimed that they reduced polling places because there were too many voters³³ and cited nonexistent state laws as justification for requiring the removal of polling places from schools.³⁴



North Carolina

Voters in North Carolina, where more than one-fifth (21 percent) of the population is African American,³⁵ also have less access to polling stations. The 40 counties once covered by Section 5 of the VRA now have 29 fewer voting locations than they had before *Shelby*.³⁶ The vast majority of these reductions occurred under the proverbial cover of darkness — without any notice or reporting from the news media. They are especially concerning because majority-White counties voted to shutter voting locations with significant Black populations over the vocal objections of local civil rights groups. The Pasquotank County Board of Elections, for example, shuttered half of the polling places in Elizabeth City — a majority-Black community — without public input and over the objections of the local NAACP branch. The consolidation was undertaken in 2015 in the name of saving money, yet no polling places were eliminated in other parts of the county.

³¹ Alabama is 26 percent African American, 4 percent Latino, 1.2 percent Asian American, and .4 percent Native American.

³² See 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.

³³ See Mary Sell, In Some Counties, Alabama Voters Have Lost a Quarter of Their Polling Places Since 2010, BIRMINGHAM WATCH (Nov. 2, 2018), <https://birminghamwatch.org/counties-alabama-voters-lost-quarter-polling-places-since-2010/>.

³⁴ See Donna Thornton, Possible Changes in District 2 Polls Bring Opposition, GADSEN MESSENGER (Sep. 6, 2013), <https://gadsdenmessenger.com/2013/09/06/possible-changes-in-district-2-polls-bring-opposition/>.

³⁵ North Carolina is 21 percent African American, 9 percent Latino, 1 percent Native American and 3 percent Asian.

³⁶ See 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.



Alaska

In Alaska, where 14 percent of the population is Native American,³⁷ six of the 390 polling places open in 2012 have been closed. In a state stretching over more than 660,000 square miles, every polling place matters. In many locations, one polling place serves an entire town; yet there is little to no public documentation of why any of these polling places were closed. When the only polling place serving an entire community is closed, every voter is impacted. In the absence of Section 5, the time-consuming and expensive process of litigation is often the only tool voters have to stop polling place closures.

Once under Section 5 preclearance on account of its efforts to disenfranchise Alaska Natives, the state has had recent problems with voting rights. In 2013, it settled a legal challenge from several voters and tribes for failing to meet its obligations under the VRA to provide language-accessible materials for voters with limited proficiency in English. While Section 5 was in effect, the DOJ blocked state efforts to close polling places in rural areas (which were being carried out under the guise of euphemisms like “consolidation” and “realignment”). Thanks to the work of the Alaska Federation of Natives, 176 rural villages now have absentee-in-person voting rights, which are vital in a state as large as Alaska.³⁸

³⁷ Alaska is 14 percent Native American, 3 percent African American, 7 percent Latino and 6 percent Asian.

³⁸ See Villages Across the State Register to Become Absentee Early Voting Sites, ALASKA FED’N OF NATIVES, <https://www.nativefederation.org/2014/07/villages-across-the-state-register-to-become-absentee-early-voting-sites/> (last visited Aug. 8, 2019).

Vote Centers: The Jury Is Out

One reason why Texas and Arizona closed so many polling places is because they converted to the “vote center” model of voting. Under this model, voters are not assigned to specific polling places; instead, they can cast ballots at the polling place of their choosing. While generally intended to enhance access to voting locations, this model often leads to massive reductions in polling places.

Arizona and Texas are the only two states formerly covered by Section 5 that have adopted clear programs to convert to the vote center model. In both states, many counties aggressively reduced voting locations immediately after *Shelby*. Without Section 5, racial impact analyses are no longer conducted to fully assess the impact of vote centers on Black, Latino, Native American, and Asian American voters.

Vote Centers in Arizona

In 2014, Graham County, which is 33 percent Latino and 13 percent Native American, closed half of its polling places when it converted to vote centers.³⁹ In 2012, Graham had 18 polling sites; today, it has half that — six vote centers and three precincts. Cochise County, which is 35 percent Latino, closed nearly two-thirds (65 percent) of its polling places when it converted to vote centers, falling from 49 in 2012 to 17 in 2018. Gila County, which is 16 percent Native American and 19 percent Latino, closed almost half of its polling places; it had 17 in 2018, down from 33 in 2012.⁴⁰

Many counties justify the transition to vote centers by rightly pointing out that the widespread adoption of vote-by-mail has diminished the need for physical polling places. Yet the state has given voters little in the way of explaining the process of voting, providing safeguards to protect voting rights, or making recommendations about how to transition to vote centers in ways that do not discriminate against voters of color or voters with limited English proficiency. State law gives counties broad leeway to implement vote centers as they see fit; as a result, some have converted entirely to vote centers, some have maintained traditional voting precincts, and others have adopted a hybrid model.⁴¹

Switching to vote centers doesn’t necessitate fewer polling places. Navajo County, which is almost half Native American and home to three Native American reservations, converted all of its polling places to vote centers while keeping almost every one of its voting locations open.

³⁹ See Jon Johnson, County Chooses Vote Centers Over Polling Precincts, E. ARIZ. COURIER (Jun. 9, 2014), https://www.eacourier.com/news/county-chooses-vote-centers-over-polling-precincts/article_32a76a5a-ee88-11e3-a42b-001a4bcf887a.html.

⁴⁰ See 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.

⁴¹ See H.R. 2303, 50th Leg., 1st Reg. Sess. (Ariz. 2011).



Vote Centers in Texas

Unlike Arizona, Texas has a clear and established process for converting to vote centers. To apply to the Countywide Polling Place Program (CWPP), counties must document specific plans to meet program requirements. Though intended to make voting more efficient and convenient, this law allows counties to make deep and immediate cuts to polling places and has no required safeguards to protect voters of color from discrimination.

The state's process for converting to vote centers allows counties to close 35 percent of their polling places in their first election after conversion, and 50 percent in subsequent elections. The 60 counties that voluntarily participate in the program⁴² account for 24 percent of the Texas counties in our study but are responsible for about two-thirds of the state's polling place closures. While not all counties that participate in the program reduce the number of polling places, those that do are more than twice as likely to close polling places than counties that use the precinct model.

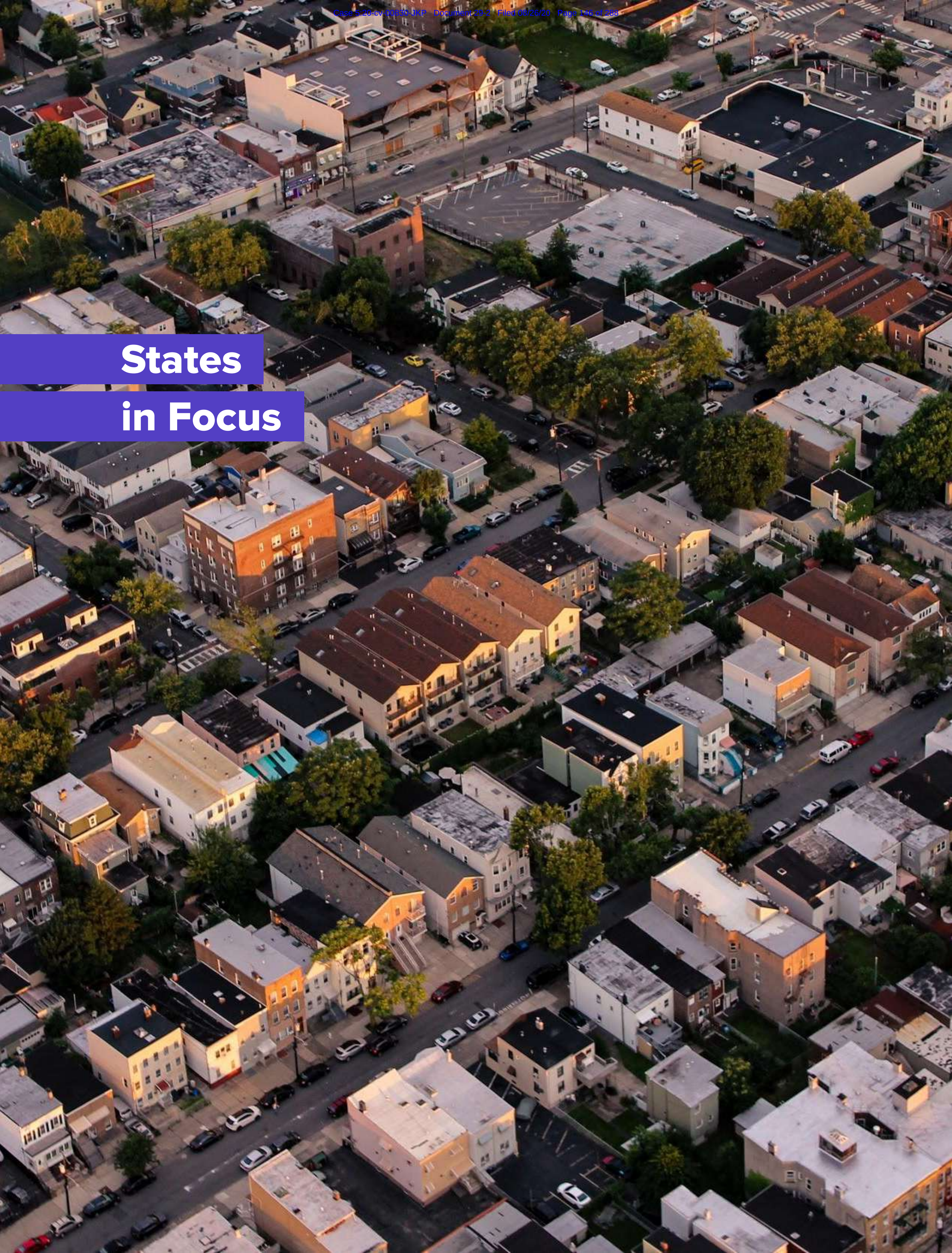
The CWPP encourages counties to ask voters of color about their thoughts on the changes — but does not require it. Nor does it require a racial impact analysis, which was required before *Shelby*. To enroll in the CWPP, counties must provide a transcript or recording of a public forum soliciting input from voters that includes “minority organizations” among other stakeholders. The state election office also “strongly encourages” counties to create advisory committees to provide feedback on voting locations so they don't run afoul of the VRA. Each county is required to explain how it chose its voting locations, but discriminatory impact is not mentioned as a possible metric.⁴³

Though far from perfect, this limited and transparent process is better than no process at all. Massive reductions are still happening in the remaining 194 counties that haven't converted to vote centers, and those consolidations are occurring with little oversight or transparency.

⁴² See Counties Approved to Use the Countywide Polling Place Program (CWPP) for the May 4, 2019 Uniform Election, TEX. SEC'Y OF STATE, <https://www.sos.state.tx.us/elections/laws/countywide-polling-place-program.shtml> (last visited Aug. 8, 2016).

⁴³ See TEX. SEC'Y OF STATE, DIR. OF ELECTIONS, ELECTION ADVISORY NO. 2019-01, 2019 OPPORTUNITIES TO USE COUNTYWIDE POLLING PLACES (Jan. 2, 2019), <https://www.sos.state.tx.us/elections/laws/advisory2019-01.shtml>.

**States
in Focus**





State in Focus:

Texas

750

**total closures
since *Shelby***

590

**total closures from 2014
Midterm to 2018 Midterm**

43%

**counties in sample that
reduced polling places
(109 of 251)**

Almost half of all shuttered polling places in our sample took place in Texas, where voters have lost at least 750 polling places since *Shelby*. Most of these closures (–590) took place after the 2014 midterm election. After top-ranked Maricopa County in Arizona, the next six largest polling place closers by number were Texas counties: Dallas (–74), which is 41 percent Latino and 22 percent African American; Travis (–67), which is 34 percent Latino; Harris (–52), which is 42 percent Latino and 19 percent African American; Brazoria (–37), which is 30 percent Latino and 13 percent African American; and Nueces (–37), which is 63 percent Latino.⁴⁴ Furthermore, 14 Texas counties closed at least 50 percent of their polling places after *Shelby*.

These drastic reductions occurred against a backdrop of multiple court battles over state laws that discriminate against Black and Latino voters. These laws relate to electoral processes ranging from voter identification requirements, racial gerrymandering to prevent voters of color from electing their preferred candidates, purging voters from registration lists, and access to language assistance when voting. Hours after the *Shelby* decision, the Texas attorney general announced the state would implement a voter ID law that had been blocked from taking effect from 2011–2013 under Section 5’s preclearance system. In 2017, a federal judge ruled that the law was enacted to intentionally discriminate against Black and Latino voters.

⁴⁴ See 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.



Texas

In Texas, conversions to vote centers contributed to the majority of polling place closures. By design, conversions reduce the number of polling places and therefore the cost of holding elections, encourage counties to use only the most physically accessible sites for voting, and improve flexibility for voters.⁴⁵ As the Texas secretary of state outlined in early 2019, the conversion program allows counties to reduce polling places by 35 percent in the first year and 50 percent in a subsequent year.⁴⁶ While the state encourages counties to engage with voters of color in a public forum or on a committee when determining the placement and number of polling places, it does not require such involvement. Nor does it require a study of the impact of proposed changes on voters of color or provide a means to ensure they are not racially discriminatory. In the absence of Section 5, the onus is on voters and community organizations to hold counties accountable for racial discrimination when closing polling places.

But counties converting to vote centers aren't alone. Counties like Somervell (–80 percent), Loving (–75 percent), Stonewall (–75 percent), and Fisher (–60 percent) — all of which have large Latino populations — cut voting locations even though they did not transition to vote centers. In fact, voters in counties that still hold precinct-style elections have 250 fewer voting locations than they did in 2012.

Beth Stevens, director of the Voting Rights Program at the Texas Civil Rights Project, called closures “a real barrier” to voting. “Voters,” she said, “often don’t hear that a beloved polling location near their home has closed until Election Day, forcing them to make disruptive changes on the spur of the moment to work schedules, childcare plans, and transportation arrangements. Even when they do hear about it ahead of time, voters may have to choose between going to a new polling place significantly further away and working enough hours that day to put food on the table — an impossible choice that no one should ever have to face. And it’s a choice that usually falls on the most vulnerable voters, thereby reinforcing existing power structures and sending a message to these voters that they are less important than others in the eyes of their government.”

⁴⁵ See TEX. SEC’Y OF STATE, DIR. OF ELECTIONS, ELECTION ADVISORY NO. 2019-01, 2019 OPPORTUNITIES TO USE COUNTYWIDE POLLING PLACES (Jan. 2, 2019), <https://www.sos.state.tx.us/elections/laws/advisory2019-01.shtml>.

⁴⁶ See TEX. SEC’Y OF STATE, DIR. OF ELECTIONS, ELECTION ADVISORY NO. 2019-01, 2019 OPPORTUNITIES TO USE COUNTYWIDE POLLING PLACES (Jan. 2, 2019), <https://www.sos.state.tx.us/elections/laws/advisory2019-01.shtml>.



Texas

Counties in Focus: Nueces County

Nueces County, which is 63 percent Latino, has a clear record of problems with VRA compliance. Since *Shelby*, it has closed 37 polling places in its shift to vote centers — going from 121 voting locations in 2012 to 84 in 2018. This reduction occurred while the county also failed to provide voting information in Spanish during the 2016 election, a violation of its still-binding commitment under the VRA.⁴⁷ When preclearance was still intact in 2011, Nueces attempted to dilute the Latino vote in a redistricting plan for multiple county offices — despite the fact that Latino population growth greatly outpaced that of Whites.⁴⁸ That history resurfaced in 2018 during a county race between a White candidate and a Latina candidate. The White candidate said he needed to win to have authority over the redistricting process; “if we're not,” he said, “we lose control of everything.”⁴⁹

Counties in Focus: Jefferson County

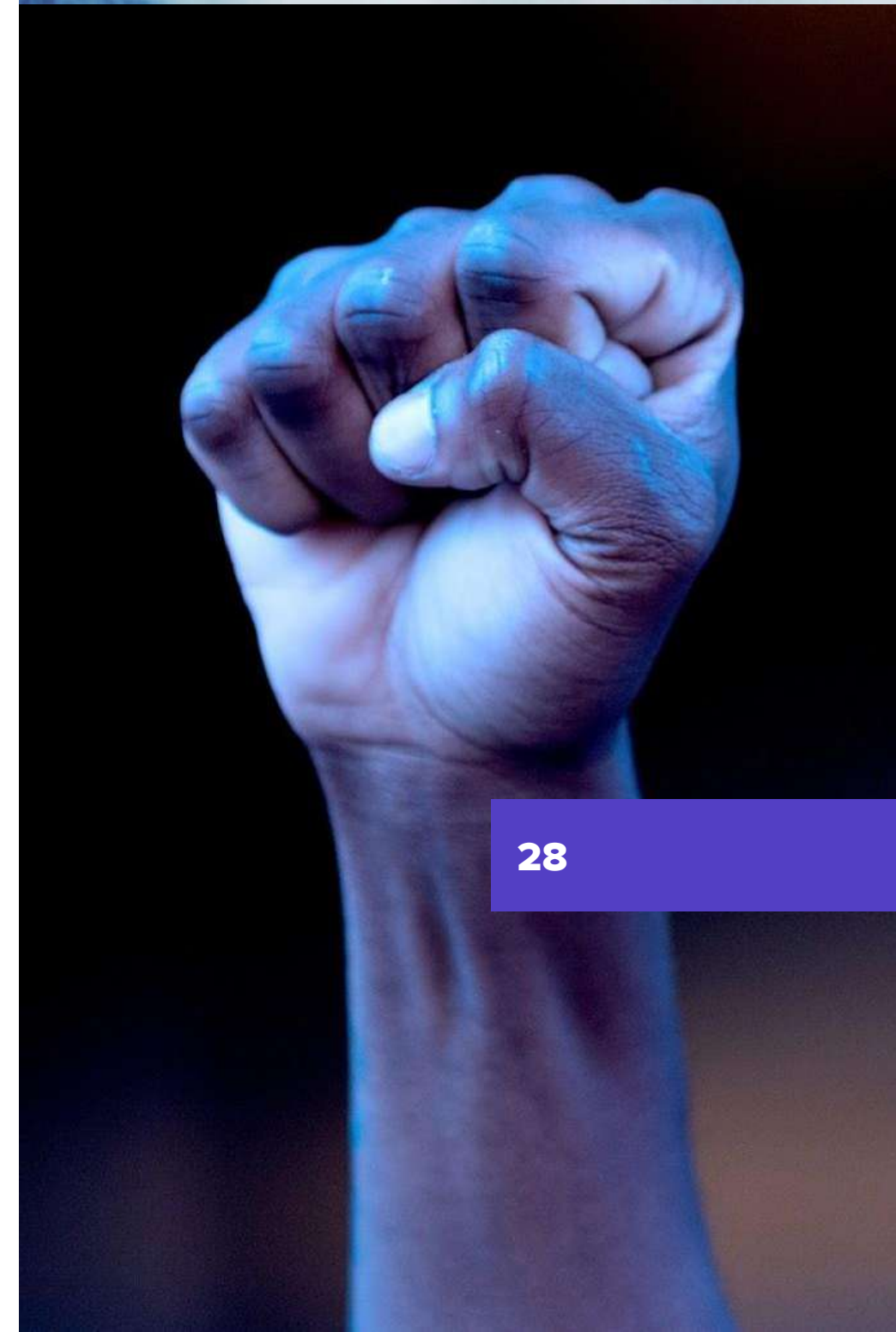
Located in southeast Texas, Jefferson County is home to the city of Beaumont. About one-third (34 percent) of its 250,000 residents are African American and one-fifth (20 percent) are Latino. County officials reduced the number of polling places from 57 in 2012 to 39 in 2018 when they converted to the vote center model. They also tried to nullify the votes of 86 mail-in ballot voters, most of whom are over age 65 and people with disabilities, in the 2018 election.⁵⁰ “Voter suppression really happens,” the Rev. Rufus Parker Jr. told the *Beaumont Enterprise* after his ballot was rejected. “The system is messed up.”

⁴⁷ See MALDEF Finds Dozens of Texas Counties Are Violating Federal Law by Failing to Provide Bilingual Voting Information, MALDEF (Oct. 6, 2016), <https://www.maldef.org/2016/10/maldef-finds-dozens-of-texas-counties-are-violating-federal-law-by-failing-to-provide-bilingual-voting-information/>.

⁴⁸ See Letter from Thomas E. Perez, Assistant Att’y Gen., U.S. Dep’t of Justice Civil Rights Div., to Joseph M. Nixon, Dalton L. Oldham, and James E. Trainor of Beirne Maynard & Parsons (Feb. 7, 2012), <https://www.justice.gov/crt/voting-determination-letter-31> (last updated Aug. 6, 2015).

⁴⁹ Tim Acosta, Nueces County Judge Candidates Spar Over Redistricting, Control, CALLER TIMES (Oct. 31, 2018, 4:30PM), <https://www.caller.com/story/news/local/2018/10/31/nueces-county-judge-candidates-spar-over-redistricting-control/1803161002/>.

⁵⁰ See Phoebe Suy, Jefferson County’s Rejected Voters Were Elderly, Infirm, or Out-of-town, BEAUMONT ENTERPRISE (Nov. 9, 2018 9:26AM), <https://www.beaumontenterprise.com/news/article/Jefferson-County-s-rejected-voters-were-13376673.php>.





State in Focus:

Arizona

320

total closures since *Shelby*

235

total closures from 2014
Midterm to 2018 Midterm

87%

counties in sample that
reduced polling places
(13 of 15)

Arizona, where 31 percent of the population is Latino, 4 percent is Native American, and 4 percent is African American, was required to submit voting changes for preclearance under the 1975 reauthorization of the VRA, which expanded Section 5 to include voters who speak a language other than English as their primary language, including Latinos, Asian Americans, and Native Americans.⁵¹ Since the loss of Section 5 preclearance, Arizona counties have embarked on a massive effort to close polling places statewide, and they have succeeded: The state now has 320 fewer polling places in Arizona than it did in 2012. These closures occurred despite national news coverage of the adverse impact of polling place reductions in Maricopa County in the 2016 presidential preference election,⁵² which forced voters to stand in line for five hours to cast a ballot.⁵³ Most of these closures (–235) have taken place since 2014.

⁵¹ See U.S. COMM'N ON CIVIL RIGHTS, AN ASSESSMENT OF MINORITY VOTING RIGHTS ACCESS IN THE UNITED STATES 171 (2018), https://www.usccr.gov/pubs/2018/Minority_Voting_Access_2018.pdf; see 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.

⁵² “The Presidential Preference Election (PPE), is an election in which voters can choose who they would like to be their presidential candidate in the upcoming General Election. Party winners of the Arizona PPE are officially determined at the party’s national convention.” <https://www.azcleelections.gov/how-to-vote/Presidential-Preference-election>.

⁵³ See Editorial, Our View: A Five-Hour Wait to Vote in Arizona Primary? That’s Shameful, AZ CENTRAL (Mar. 23, 2016, 8:47AM), <https://www.azcentral.com/story/opinion/2016/03/23/arizona-primary-our-view-we-outraged-long-lines/82152636/>.



Arizona

With a reduction of 171 polling places, Maricopa County, which is 31 percent Latino, is by far the largest closer of polling places in our study. It closed more polling places than the second and third highest-ranked counties combined. In advance of the 2016 presidential preference election, Maricopa drastically reduced polling places, resulting in long lines that drew national attention and lawsuits from civil rights groups.⁵⁴ A settlement with civil rights groups led the county to reopen polling places for the 2016 general election — albeit with fewer than it had in the pre-*Shelby* 2012 presidential election.⁵⁵ Two years later, instead of responding to the clear demand for more polling places, the county *cut well over 100 more voting locations*. Between Arizonans' increased use of mail-in ballots and Maricopa County's experimentation with vote centers, it is difficult to determine the full impact of polling place closures on various communities without additional analysis. Yet it is incumbent upon the county to ensure that closures do not have a racially discriminatory impact.

The drive to reduce polling places was not confined to Maricopa. In fact, four of the top 10 closers in our sample were counties in Arizona: Maricopa (–171), which is 31 percent Latino; Mohave (–34), which is 16 percent Latino; Cochise (–32), which is 35 percent Latino; and Pima (–31), which is 37 percent Latino. In the 2016 edition of *The Great Poll Closure*, Pima was the biggest closer in the nation (though it has since reopened 31 polling places). The scale of closures throughout the state is equally concerning in Cochise (–65 percent), Graham (–50 percent), Mohave (–49 percent), and Gila (–48 percent) counties, all of which closed about half or more of their polling places.⁵⁶

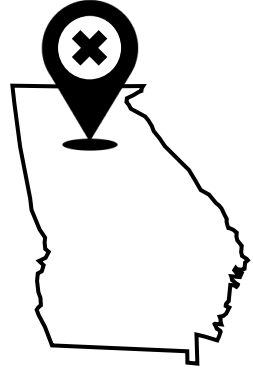
Some counties in Arizona, however, are clearly trying to ensure that voters of color can access the ballot box. Navajo County, which, as noted above, is 46 percent Native American, maintained a steady number of polling places despite its conversion to vote centers. In Coconino County, which is 26 percent Native American and 14 percent Latino, many polling places on a Navajo reservation were not ADA-compliant. Yet the county has opted to keep these polling places open and make low-cost modifications to ensure voter accessibility — rather than close them outright.⁵⁷

⁵⁴ See Mary Jo Pitzl, Anne Ryman & Rob O'Dell, Long Lines, Too Few Polls Frustrate Metro Phoenix Primary Voters, AZ CENTRAL (Mar. 23, 2016, 12:42AM), <https://www.azcentral.com/story/news/politics/elections/2016/03/22/arizona-primary-voter-turnout-long-lines/82125816/>.

⁵⁵ See THE LEADERSHIP CONFERENCE EDUCATION FUND, THE GREAT POLL CLOSURE 7 (Nov. 2016), <http://civilrightsdocs.info/pdf/reports/2016/poll-closure-report-web.pdf>.

⁵⁶ See 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.

⁵⁷ See Kira Lerner, The ADA Is Being Used to Disenfranchise Minority Voters, THINKPROGRESS (Aug. 24, 2018, 1:46PM), <https://thinkprogress.org/ada-voter-suppression-cd7031080bfd/>.



State in Focus:

Georgia

214

total closures since *Shelby*

113

total closures from 2014
Midterm to 2018 Midterm

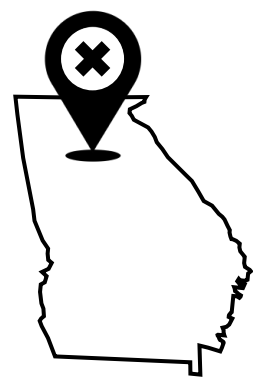
33%

counties in sample that
reduced polling places
(53 of 159)

Counties drastically reduced polling places across Georgia after *Shelby*. According to the *Atlanta Journal-Constitution*, voters across the state now have 214 fewer places to cast ballots; in some rural counties, voters are left with only one polling place. More than half (–113) of these sites have closed since the 2014 midterm election. One of the most troubling facets of Georgia’s great poll reduction is its scale: Eighteen counties closed more than half of their polling places, and several closed almost 90 percent.

These sharp declines all occurred when Brian Kemp was overseeing elections while serving as Georgia’s secretary of state (between the years of 2010 and 2018). During his tenure, he erected barriers that made it harder for people of color to vote. From 2010 to 2018, he purged more than 1.4 million voters from the state’s voter registration rolls, many simply because they did not vote in previous elections.⁵⁸

⁵⁸ Alan Judd, Georgia’s Strict Laws Lead to Large Purge of Voters, AJC (Oct. 27, 2018), <https://www.ajc.com/news/state--regional-govt--politics/voter-purge-begs-question-what-the-matter-with-georgia/YAFvuk3Bu95kJIMaDiDFqJ/>.



Georgia

In the wake of the *Shelby* decision, Kemp’s office began to encourage polling place reductions leading up to the 2016 presidential election. In a February 2015 memo to local election officials, Kemp asks, “When should you begin the plan of consolidation or making changes to precincts or polling places?” The answer? “Now. Plan to spend 2015 making all the changes so that you, your county and your voters are ready for the 2016 elections.”⁵⁹

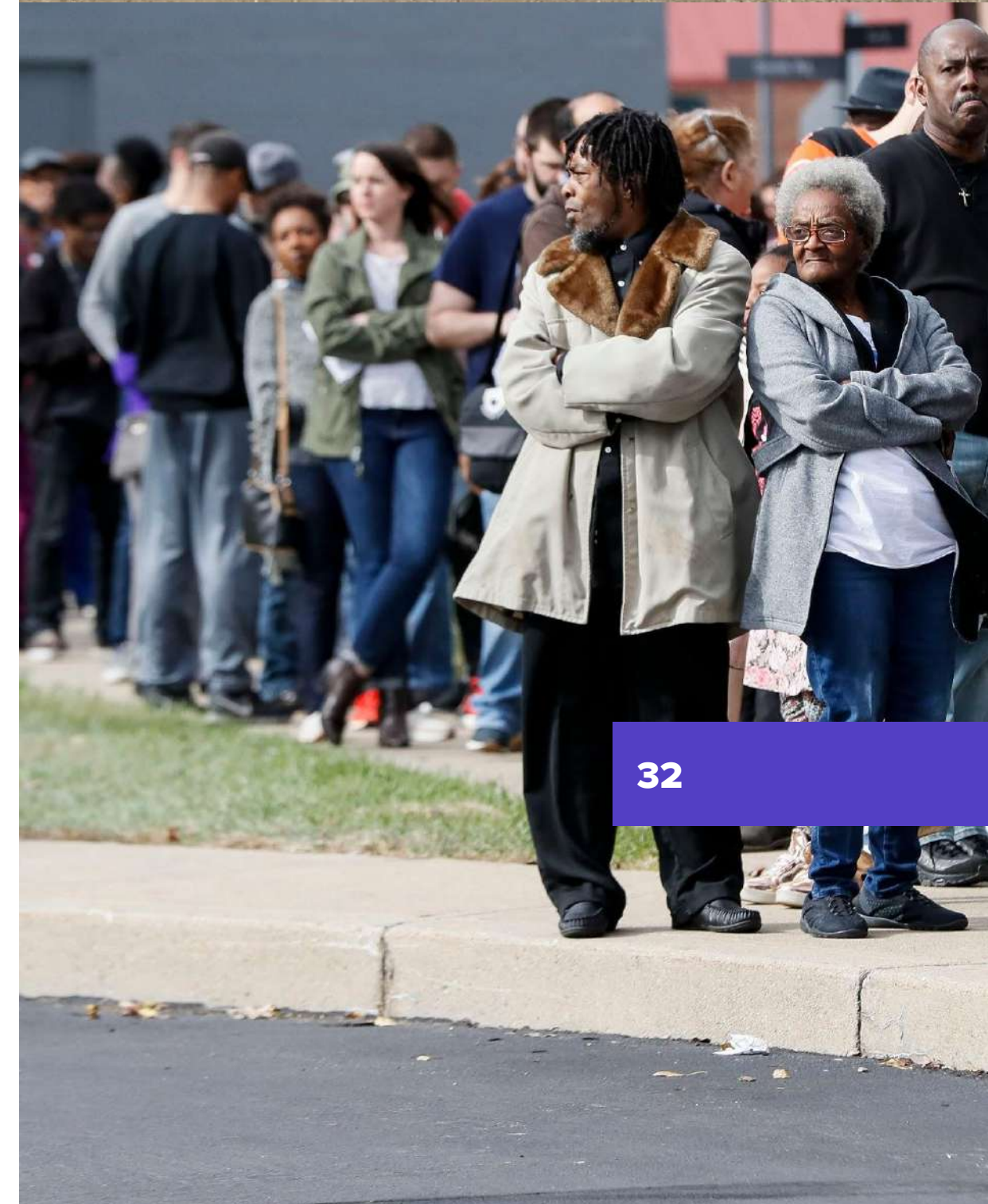
The six-page document offers guidance on how to change and consolidate polling places. It does not recommend — or even acknowledge the obligation to consider — the impact of polling place changes on low-income communities and communities of color. The only reference to voting rights is the following sentence, which appears twice in the document: “As a result of the *Shelby vs. Holder (sic)* Supreme Court decision, you are no longer required to submit [precinct or polling place] changes to the Department of Justice for preclearance.”⁶⁰

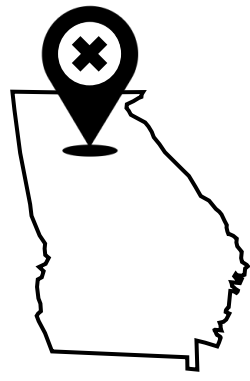
Georgia’s 2018 gubernatorial election received national attention because Stacey Abrams, a civil rights advocate and former minority leader of the Georgia House of Representatives, became the first African American woman to be nominated by a major party to run for the state’s top office. She ran against Kemp, who was overseeing the election at the time and actively working to disenfranchise people of color. Before Election Day, 53,000 voter registration applications were put on hold, 75 percent of which belonged to voters of color.⁶¹

⁵⁹ Memorandum from Ga. Sec’y of State Elections Div. to Ga. Local Election Officials 2 (Feb. 2015) (on file with author)

⁶⁰ Memorandum from Ga. Sec’y of State Elections Div. to Ga. Local Election Officials 3 (Feb. 2015) (on file with author).

⁶¹ <https://apnews.com/fb011f39af3b40518b572c8cce6e906c>





Georgia

The systematic effort to reduce polling places continued in advance of the 2018 election. Mike Malone, an elections consultant recommended by Kemp, led an effort to close polling places in 10 counties with large Black populations.⁶² Malone told local boards of elections that Kemp had recommended polling place consolidation and sought to close seven of nine polling places in Randolph County, which is 60 percent African American. The plan was ultimately abandoned after an outcry from local and national advocates drew national attention.⁶³ In addition to five-hour lines, voters in communities of color faced countless obstacles on Election Day, including delayed polling place openings and broken voting machines.⁶⁴ In the end, Kemp narrowly won. But advocates have since filed a lawsuit alleging that the election deprived Georgians, especially Georgians of color, of their right to vote.⁶⁵

“Look at the areas where they’re closing precincts and consolidating,” Helen Butler, executive director of the Georgia Coalition for the People’s Agenda, told the *Atlanta Journal-Constitution*. “It’s usually in areas with poor people and minority communities that have less resources to get to other locations.”⁶⁶

Counties in Focus: Hundreds of Square Miles and Only One Polling Place

Voters in seven counties in Georgia now have only one polling place. Rural Lumpkin County closed nearly all (89 percent) of its precincts in 2016, leaving voters in the 284-square mile county with only one place to vote. County officials could have kept more polling places open by moving polling places to locations that are accessible to people with disabilities or making low-cost modifications to comply with the ADA, but they chose not to. Lanier County, which is 24 percent African American, closed 75 percent of its polling places, leaving voters in this 200-square mile county with only one place to exercise their franchise. After the lone public hearing on the closure, the Lanier County sheriff noted that the county’s population had “almost doubled” during his tenure. “Personally, I don’t think [the polling place closure plan] points the county in the right direction,” he told the *Valdosta Daily Times*.⁶⁷

⁶² See Matt Vasilogambros, Polling Places Remain a Target Ahead of November Elections, PEW CHARITABLE TRUSTS (Sep. 4, 2018), <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2018/09/04/polling-places-remain-a-target-ahead-of-november-elections>.

⁶³ See RELEASE: NEW AUDIO — Kemp Associate Mike Malone Reveals Brian Kemp Recommended “Consolidation” of Randolph County Polling Places, GA. DEMOCRATS (Aug. 20, 2018), <https://www.georgiademocrat.org/2018/08/randolph-county-polling/>.

⁶⁵ Stephen Fowler, Here’s The Court Order Allowing Fair Fight’s Voting Lawsuit To Continue, GBP RADIO NEWS, (May 30, 2019), <https://www.gpbnews.org/post/heres-court-order-allowing-fair-fights-voting-lawsuit-continue>.

⁶⁶ Mark Niese, Maya T. Prabhu & Jacquelyn Elias, Voting Locations Closed Across Georgia Since Election Oversight Lifted, AJC (Aug. 31, 2018), <https://www.ajc.com/news/state--regional-govt--politics/voting-precincts-closed-across-georgia-since-election-oversight-lifted/bBkHxptlim0Gp9pKu7dfrN/>.

⁶⁷ Terry Richards, Lanier May Close 3 of 4 Voting Precincts, VALDOSTA DAILY TIMES (Jun. 28, 2016), https://www.valdostadailytimes.com/news/local_news/lanier-may-close-of-voting-precincts/article_6cf02c80-93ce-51df-86c6-3b4a692acc18.html.



State in Focus:

Louisiana

126

total closures since *Shelby*

76

total closures from 2014
Midterm to 2018 Midterm

66%

counties in sample that
reduced polling places
(42 of 64)

In Louisiana, voters have 126 fewer places to vote than they did in 2012. Since VRA safeguards were removed, two-thirds of the state's parishes have closed polling places. seventy-six closed after the 2014 midterm election. Winn Parish, which is 31 percent African American, closed 24 percent of its polling places, the highest percentage in the state. Lafayette followed with 17 percent, Jefferson with 15 percent, and Bienville and Morehouse with 14 percent each.

East Baton Rouge Parish, which is 46 percent African American, has closed 10 polling places since *Shelby*. In October 2016, the parish voted to consolidate 19 polling places due to "historic flooding." This "temporary" consolidation was intended to apply only to the 2016 election, according to local news sources.⁶⁸ But our analysis revealed that at least eight closed locations did not reopen by 2018.

⁶⁸ See Kevin Dupuy, Temporary Voting Locations Approved for EBR Precincts, WBRZ (Oct. 10, 2016 3:15PM), <http://www.wbrz.com/news/temporary-voting-locations-approved-for-ebr-precincts>.



This trend — temporarily closing polling places on an emergency basis but never reopening them — continues. In the aftermath of Hurricane Katrina, Orleans Parish, reeling from a major loss of population and nonfunctioning polling places, cut the number of voting locations in half — from 252 to 120.⁶⁹ Fifteen years later, the polling place map supposedly designed for emergency conditions appears to be permanent, especially in the Lower 9th Ward, home to a large Black population. In the 2018 election, voters in Orleans Parish had only 124 places to vote. When asked about the closures, Stacy Head, former president of the New Orleans City Council, didn't comment other than to say she “couldn't recall any complaints about voting locations.”⁷⁰

This compounds the long travel times to the polls many Black voters experience, an established problem in Louisiana. The Louisiana Advisory Committee to the U.S. Commission on Civil Rights cited Jhacova Williams, an economics professor who testified that the number of polling locations in a subdivision negatively correlates with the number of Black people in the subdivision. “This means that there are fewer polling locations per voter in a geographical area if that area has more Black residents,” she said. “This in turn implies that Black residents face longer travel distances to reach a polling location.”⁷¹

⁶⁹ See Charles Maldonado, Many New Orleans Voters Are Still Driving Farther to Vote than Before Katrina, THE LENS (Nov. 8, 2016), <https://thelensnola.org/2016/11/08/many-new-orleans-voters-are-still-driving-farther-to-vote-than-before-katrina/>.

⁷⁰ Charles Maldonado, Many New Orleans Voters Are Still Driving Farther to Vote than Before Katrina, THE LENS (Nov. 8, 2016), <https://thelensnola.org/2016/11/08/many-new-orleans-voters-are-still-driving-farther-to-vote-than-before-katrina/>.

⁷¹ LA. ADVISORY COMM. FOR THE U.S. COMM'N ON CIVIL RIGHTS, BARRIERS TO VOTING IN LOUISIANA 12 (Jun. 2018).



State in Focus:

Mississippi

96

total closures since *Shelby*

49

total closures from 2014
Midterm to 2018 Midterm

38%

counties in sample that
reduced polling places
(31 of 82)

In Mississippi, we found that counties closed 96 polling places since VRA safeguards were removed. Of these, 49 took place after the 2014 midterm election. Since *Shelby*, almost 40 percent of Mississippi counties have closed polling places. Pearl River and Harrison counties closed 13 polling places each since VRA safeguards were removed, the most in the state.

Pearl River County closed 39 percent of its polling places, the largest percentage in the state. This massive reduction could have been much worse. In 2017, Pearl River's board of supervisors proposed eliminating 25 of the county's 37 polling places, for a potential 64 percent reduction. But pushback led to keeping open 20 voting locations.⁷² The board of supervisors claimed the reduction was necessary to ensure that all polling places were compliant with the ADA, even though one election commissioner — Margaret Woodson — admitted she lacked expertise in the law. "We're not knowledgeable in the rules for ADA compliancy," Woodson said at a board meeting considering the elimination of polling places. "We're election commissioners. We're not qualified to tell you for sure if these locations are or are not compliant."⁷³

⁷² See Rashell Reese, New Voting Precincts Finalized for Pearl River County, WRJW (Oct. 19, 2017), <https://www.wrjwradio.com/single-post/2017/10/19/New-voting-precincts-finalized-for-Pearl-River-County>.

⁷³ Rashell Reese, New Voting Precincts Finalized for Pearl River County, WRJW (Oct. 19, 2017), <https://www.wrjwradio.com/single-post/2017/10/19/New-voting-precincts-finalized-for-Pearl-River-County>.



Mississippi

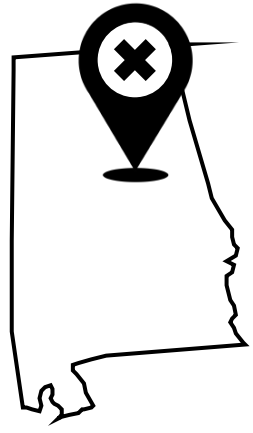
The process in Pearl River County appears to have been much more deliberate than in Harrison County, which also closed 13 polling places, a 20 percent reduction. In October 2018, *Mississippi Today* chronicled polling place reductions across the state and highlighted the steep drop in the county, the second most populous in the state. The report shined a light on a precinct in an elementary school where 2016 voters “stood in lines weaving through the classroom hallways and out the door.” But instead of creating more voting locations, election commissioners scaled the number back. As one commissioner told the newspaper, “I don’t know if it’s going to create longer wait times, but they’ll be inside for that wait.”⁷⁴

The article cited the commissioner’s list of factors to consider when deciding whether to reduce polling locations, including “the quality of the facility, how much further voters will have to travel, handicap accessibility, lighting, and room for lines.” The impacts on low-income voters and voters of color were not listed as factors for consideration. One county commissioner told journalists, “You can’t just go back to the way it was before” — a reference to the elimination of preclearance. County officials apparently anticipated long lines and intentionally planned extra space at existing polling stations to accommodate them. This plan apparently came to fruition. In November 2018, TV reporters showed “long lines across south Mississippi as voters show up at the polls.”⁷⁵ The station singled out a polling place in Harrison County where “hundreds of people waited to vote.”

Mississippi Today also documented counties that acted to prevent potential voting discrimination when they made changes to polling places. Smith County, for example, moved but did not eliminate its polling places and continues to notify the DOJ of its changes, even though it is no longer required to do so. When the county moved a polling place in September 2018, two Black officials sent affidavits to the DOJ and to Mississippi’s secretary of state that declared the move necessary and said it was “not made to inconvenience voters, especially minority voters.”

⁷⁴ Anna Wolfe & Alex Rozier, Free From Federal Oversight, 5 Percent of Mississippi Polling Locations Have Closed Since 2013, SUNHERALD (Oct. 6, 2018, 9:01PM), <https://www.sunherald.com/news/politics-government/election/article220693015.html>.

⁷⁵ See Lindsay Knowles, Long Lines Across South MS as Voters Show Up at the Polls, WLOX (Nov. 6, 2018, 10:38AM), <https://www.wlox.com/2018/11/06/long-lines-voters-harrison-county-polls-open/>.



State in Focus:

Alabama

72

total closures since *Shelby*

26

total closures from 2014
Midterm to 2018 Midterm

34%

counties in sample that
reduced polling places
(23 of 67)

Since voting rights safeguards were removed in 2013, Alabama has eliminated 72 polling places without clear oversight or accountability. Of these, 26 have taken place since the 2014 midterm election. The polling place reductions took place against the backdrop of various voting changes, causing concern among voting rights advocates. Changes included polling place consolidation in Daphne, Alabama; the enactment of a strict voter ID law accompanied by massive closures of DMV offices in counties with large Black populations; voter purges; and the Alabama secretary of state's refusal to inform recently re-enfranchised voters that their voting rights were restored.⁷⁶

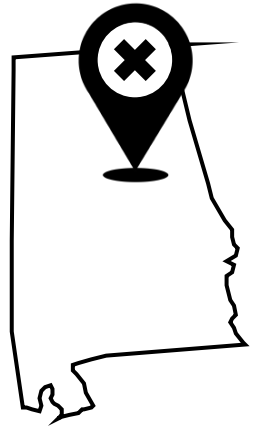
State election officials have even submitted inaccurate counts of polling places to the U.S. Election Assistance Commission (EAC). Our 2016 *Great Poll Closure* report relied on data provided by Alabama's secretary of state in 2012 and 2014. The state disclosed that Elmore County, which is 21 percent Black, had 42 polling places in 2012 and 2014, when in fact it only had 28.⁷⁷ When local journalists asked about the inaccuracy, a spokesperson for the Alabama secretary of state said The Education Fund "misread" the number 42.⁷⁸ Alabama did not fill out any information related to polling places in response to EAC's 2016 survey.⁷⁹

⁷⁶ See Campbell Robertson, For Alabama's Poor, the Budget Cuts Trickle Down, Limiting Access to Driver's Licenses, N.Y. TIMES (Oct. 9, 2015), <https://www.nytimes.com/2015/10/10/us/alabama-budget-cuts-raise-concern-over-voting-rights.html?module=inline>.

⁷⁷ The Great Poll Closure, The Leadership Conference Education Fund, November 1, 2016.

⁷⁸ See Connor Sheets, How One Alabama County Was Wrongly Identified as the State's Worst on Voting Access, BIRMINGHAM NEWS (Jan. 13, 2017, 1:32PM), https://www.al.com/news/birmingham/2016/11/how_one_alabama_county_was_wro.html.

⁷⁹ Election Assistance Commission, 2016 Election and Voting Survey, <https://www.eac.gov/research-and-data/2016-election-administration-voting-survey/>.



Alabama

Marshall County, which is 13 percent Latino, is the state's largest closer, closing 10 polling places (26 percent) since 2012. Despite this reduction, the county's lead election official called for a review of Marshall's remaining polling sites in 2019 to assess disability accessibility.⁸⁰ Such a review may appear to be intended to enhance voting rights, but it could be a canard: Lack of ADA compliance is often used as an excuse to close polling places in other jurisdictions. In news reports, election officials did not cite any complaints or concerns about accurate ADA compliance at particular polling sites.

Mobile County, which is 35 percent African American, tied with Marshall County; it too closed 10 locations, or about 10 percent of its voting sites. Most polling sites were eliminated in early 2014, immediately after *Shelby*⁸¹ — a reduction covered by the *Lagniappe Weekly*. The county has yet to provide clear justification for the swift and significant closures.⁸² In a 2018 interview with *Birmingham Watch*, a county commissioner indicated that the reduction was due to growth in voting populations — a counterintuitive argument, to be sure. A more inclusive democracy demands more polling places, not fewer.⁸³ The commissioner cited ADA compliance, parking, and traffic as the major points of consideration when placing the new sites. Missing from her list: preventing racial discrimination. “How disconcerting to know our own state has silenced the voices of thousands by an act as simple as closing polls in the Black Belt,” Jessica Barker, a Huntsville-based advocate who leads Lift Our Vote 2020, told The Education Fund.

⁸⁰ See Stephen McLamb, Probate Judge Plans Review of Polling Locations for ADA Compliance in Marshall County, WAFF48 (Mar. 26, 2019, 6:37PM), <https://www.waff.com/2019/03/26/probate-judge-plans-review-polling-locations-ada-compliance-marshall-county/>.

⁸¹ See Polling Centers Moved or Eliminated in 19 Mobile County Precincts, LAGNIAPPE WEEKLY (Mar. 12, 2014), <https://lagniappemobile.com/polling-centers-moved-or-eliminated-in-19-mobile-county-precincts/>.

⁸² See Mary Sell, In Some Counties, Alabama Voters Have Lost a Quarter of Their Polling Places Since 2010, BIRMINGHAM WATCH (Nov. 2, 2018), <https://birminghamwatch.org/counties-alabama-voters-lost-quarter-polling-places-since-2010/>.

⁸³ See Donna Thornton, Possible Changes in District 2 Polls Bring Opposition, GADSDEN MESSENGER (Sep. 6, 2013), <https://gadsdenmessenger.com/2013/09/06/possible-changes-in-district-2-polls-bring-opposition/>.



Counties in Focus: Etowah County

Etowah County, Alabama, which is 15 percent African American, closed nine polling places after *Shelby*, or almost a quarter of its voting locations. Its justifications were among the most confusing we found. After a public hearing on the matter in 2013, the *Gadsden Messenger* noted that the changes were made for “financial and other reasons,” including “a new state law [that] mandates polling places be moved from schools for security reasons.” Local election official Bobby Junkins also wanted to take polling places off of private property because “voting at churches eventually will become an issue.”⁸⁴ Later reports said Junkins said “it has been suggested that voting locations not be on private property” and that “new federal regulations prohibit voting locations at schools.”⁸⁵

We could not verify the existence of any federal, state, or local regulation requiring voting locations to be removed from schools or from private property, such as churches.

⁸⁴ See Donna Thornton, Possible Changes in District 2 Polls Bring Opposition, GADSDEN MESSENGER (Sep. 6, 2013), <https://gadsdenmessenger.com/2013/09/06/possible-changes-in-district-2-polls-bring-opposition/>.

⁸⁵ Lisa Rogers Savage, Some Voting Locations Changed, GADSDEN TIMES (May 31, 2014, 9:00PM), <https://www.gadsdentimes.com/news/20140531/some-voting-locations-changed>.



State in Focus:

North Carolina

29

total closures since *Shelby*

18

total closures from 2014
Midterm to 2018 Midterm

25%

counties in sample that
reduced polling places
(23 of 67)

Since *Shelby*, the North Carolina legislature has doggedly attempted to reduce voting access for people of color at every juncture of the voting process. In 2018, almost half of all counties in the state cut early voting locations,⁸⁶ and a federal court called its 2016 “monster” voting law “the most restrictive voting law North Carolina has seen since the era of Jim Crow.”⁸⁷ The law included cuts to early voting, restrictive voter ID provisions, and eliminated out-of-precinct voting.

Against this backdrop of high-profile voting rights violations, one quarter of the counties that were once covered by Section 5 have quietly consolidated Election Day polling places — with shockingly little public scrutiny. Since *Shelby*, officials in the 40 preclearance counties have shuttered 29 polling places, most of which (–18) have been closed since the last midterm election in 2014.

⁸⁶ See Blake Paterson, Bipartisan Furor as North Carolina Election Law Shrinks Early Voting Locations by Almost 20 Percent, PROPUBLICA (Sep. 24, 2018, 5:00AM), <https://www.propublica.org/article/bipartisan-furor-as-north-carolina-election-law-shrinks-early-voting-locations-by-almost-20-percent>.

⁸⁷ William Wan, Inside the Republican Creation of the North Carolina Voting Bill Dubbed the ‘Monster’ Law, WASH. POST (Sep. 2, 2016), https://www.washingtonpost.com/politics/courts_law/inside-the-republican-creation-of-the-north-carolina-voting-bill-dubbed-the-monster-law/2016/09/01/79162398-6adf-11e6-8225-fbb8a6fc65bc_story.html.



North Carolina

North Carolina's largest closer by percentage (31 percent) is majority-White Pasquotank County, which eliminated half the polling places in Elizabeth City, which is 52 percent African American. In a 2-1 vote, county officials shuttered four polling places in Elizabeth City without any public input and over the objections of the local NAACP branch.⁸⁸ Officials attributed the closures to cost constraints, but they closed polling places in Elizabeth City alone — and nowhere else in the entire county.⁸⁹

The largest closer of polling places by number is Cleveland County, which eliminated five polling places in the first federal election after *Shelby* despite clear opposition from the local NAACP chapter as well as from one of its three election officials.⁹⁰ These closures — planned in the city of Shelby, North Carolina — were intended to eliminate three polling places in areas with a large share of Black voters — and to make the remaining two voting locations the largest in the county. This realignment came at a time when state law invalidated ballots cast at the “wrong” polling place.⁹¹ The champion for the reduction was a White election official who expressed “shock” at opposition from Black voters and claimed not to know when he proposed the reduction that Section 5 would no longer apply to the county.⁹²

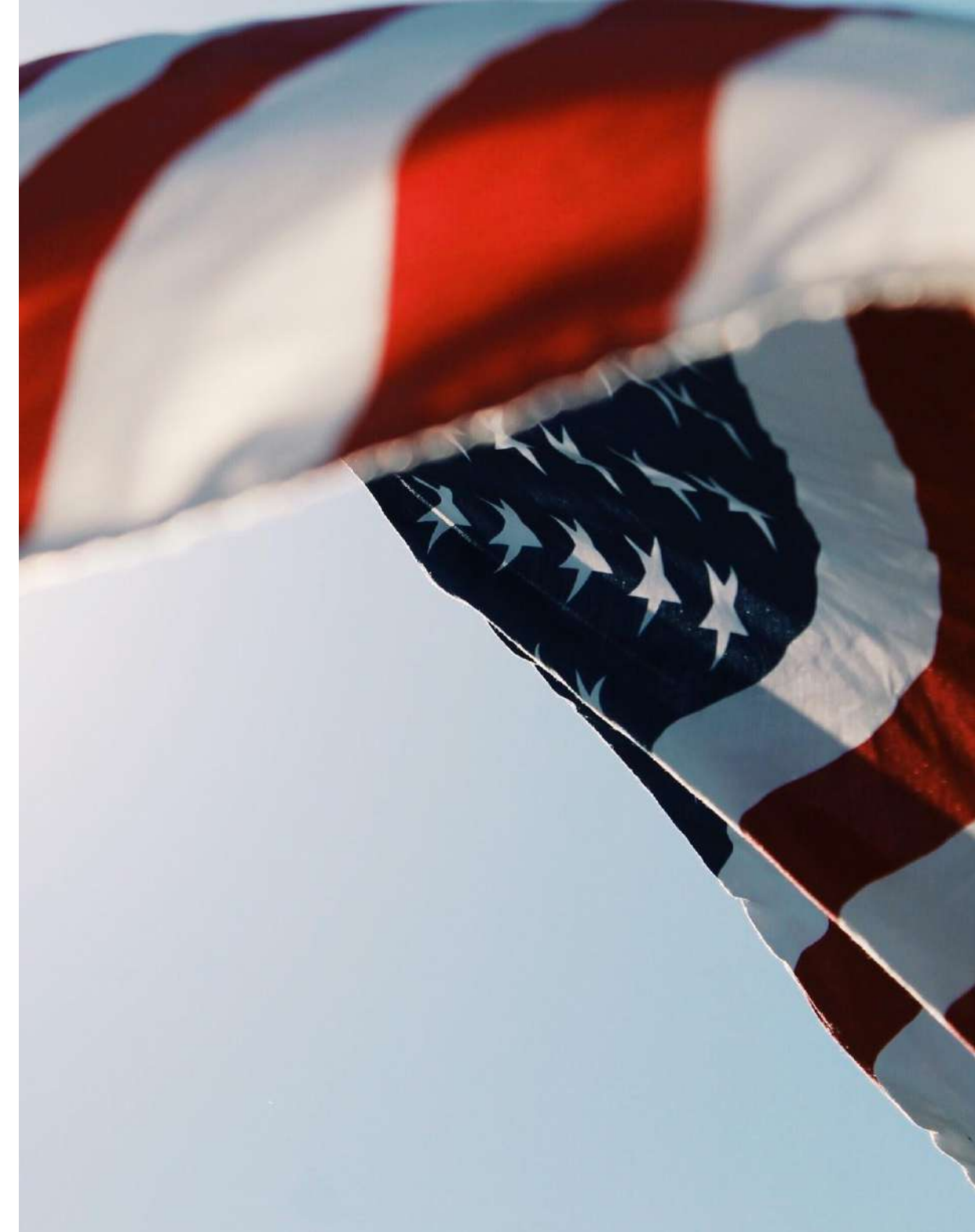
⁸⁸ See Voting Precinct Merger Approved, DAILY ADVANCE (Jul. 18, 2015), <http://www.dailyadvance.com/News/2015/07/18/Voting-precinct-merger-approved.html>.

⁸⁹ See Voting Precinct Merger Approved, DAILY ADVANCE (Jul. 18, 2015), <http://www.dailyadvance.com/News/2015/07/18/Voting-precinct-merger-approved.html>.

⁹⁰ See Joe DePriest, Cleveland County Board of Elections Considering Merging 5 Precincts Into 2, THE HERALD (Mar. 2, 2015 10:08PM), <https://www.heraldonline.com/latest-news/article11565497.html>.

⁹¹ See Joe DePriest, Cleveland County Board of Elections Considering Merging 5 Precincts Into 2, THE HERALD (Mar. 2, 2015 10:08PM), <https://www.heraldonline.com/latest-news/article11565497.html>.

⁹² See Richard Fausset, Mistrust in North Carolina Over Plan to Reduce Precincts, N.Y. TIMES (Jul. 7, 2014), <https://www.nytimes.com/2014/07/08/us/08northcarolina.html>.



A photograph showing a person in a wheelchair being assisted up a concrete step. The person in the wheelchair is wearing a blue patterned top and red shoes. The person assisting is wearing a light blue patterned skirt and gold sandals. The background shows a concrete sidewalk with a crosswalk.

Blaming Voters with Disabilities

One of the more alarming trends we discovered is a widespread practice of blaming polling place closures on another civil rights law, the Americans with Disabilities Act (ADA). The leading closers of polling places from Mississippi, Georgia, and Louisiana used ADA compliance as their major pretext. In several cases, little to no effort was made to understand ADA compliance. Instead, election officials took advantage of the public's lack of understanding about the law to grossly inflate the estimated costs of compliance for both publicly and privately owned polling places.

Closing polling places because of a lack of ADA compliance should be a last resort for election officials and should happen only when there are no suitable alternative sites, no possible same-day modifications, and no possibilities for curbside voting and other best practices to ensure accessibility. In addition, officials must be required to conduct a thorough analysis to determine the impact on voters of color. The DOJ provides clear guidance and support for helping ensure that parking lots, hallways, doorways, and walkways are accessible to all voters.⁹³ Ensuring ADA compliance might be as simple and inexpensive as:

- Creating accessible parking with temporary signage and traffic cones;
- Building temporary ramps for curbs and staircases; and/or
- Installing doorbells or propping heavier doors open

⁹³ See generally U.S. DEP'T OF JUSTICE CIVIL RIGHTS DIV. DISABILITY RIGHTS SECTION, SOLUTIONS FOR FIVE COMMON ADA ACCESS PROBLEMS AT POLLING PLACES, https://www.ada.gov/ada_voting/voting_solutions_fa/polling_place_solutions.pdf (last visited Aug. 6, 2019).

Perhaps the most successful effort to turn back proposed polling place closures in a formerly covered jurisdiction happened in 2018, after officials in Randolph County, Georgia, attempted to use the ADA as an excuse to close seven of its nine polling places in a county that is 60 percent African American.⁹⁴ According to a county attorney, the plan was not based on any actual analysis of ADA accessibility for the voting locations. “There is no document, report or analysis studying the handicap accessibility of polling places,” the attorney wrote to a journalist in response to a public records request.⁹⁵

Swift opposition to the closures came from national and local stakeholders, including the National Disability Rights Network,⁹⁶ the ACLU of Georgia, the Georgia NAACP, and The Education Fund. Former U.S. Rep. Tony Coelho — the author of the ADA — called the plan “a violation of the law I and others worked so hard to pass.”⁹⁷ Advocates successfully blocked the proposed closures in Randolph County, but not in many other Georgia counties.

Lumpkin County, Georgia, the largest closer of polling places by percentage in the state, used ADA compliance as an excuse to eliminate all but one polling place in the 284-square mile county. Toombs County, Georgia, which is 25 percent African American and 12 percent Latino, shuttered 64 percent of its polling places in 2015. Toombs officials claimed that closing nine of its 14 polling places would save up to \$200,000 needed for operations and to secure ADA compliance.⁹⁸ Immediately after the *Shelby* decision, Habersham County, Georgia, which is 14 percent Latino and 3 percent African American, used ADA compliance as a purported reason to shutter 85 percent of its polling places — reducing voting locations from 14 to just two. This seismic shift led to long lines and voting problems, for which the elections board blamed voters for having the audacity to wait until Election Day to vote.⁹⁹ The county backpedaled on the consolidation and reopened several more polling places in the 2016 election.¹⁰⁰

⁹⁴ See Associated Press, NBC NEWS (Aug. 4, 2018, 4:00PM),

<https://www.nbcnews.com/news/nbcblk/georgia-county-scraps-plan-close-most-polling-places-n903691>.

⁹⁵ Sam Levine, Georgia County Can’t Back Up Its Excuse for Plan to Disenfranchise Black Voters, HUFFINGTON POST (Aug. 22, 2018), https://www.huffpost.com/entry/georgia-county-close-polling-places-access_n_5b7c7484e4b07295150dbaf3.

⁹⁶ See The Leadership Conference (@civilrightsorg), An Open Letter to the Georgia Secretary of State, MEDIUM (Nov. 5, 2018), <https://medium.com/@civilrightsorg/an-open-letter-to-the-georgia-secretary-of-state-c2aa09e676a9>

⁹⁷ Americans with Disabilities Act Author: Kemp Has Failed to Comply with ADA, GA. DEMOCRATS (Aug. 23, 2018), <https://www.georgiademocrat.org/2018/08/kemp-ada/>.

⁹⁸ See Change to Toombs Voting Precincts, SE. GA. TODAY (Mar. 7, 2015), <http://southeastgeorgiatoday.com/~southel2/index.php/archived-newsbreaks/12580-sp-1330955164>.

⁹⁹ See Joy Purcell, Elections Board Focuses on “Process Improvement”, NOW HABERSHAM (Dec. 21, 2014), <https://nowhabersham.com/elections-board-focuses-on-process-improvement/>.

¹⁰⁰ See Rob Moore, Habersham Voters Will Use New Polling Locations Tomorrow, ACCESSWDUN (Feb. 29, 2016 1:06PM), <https://accesswdun.com/article/2016/2/373697/habersham-voters-to-use-new-polling-locations-tomorrow>.

Pearl River County, one of the largest closers of polling places in Mississippi, used ADA compliance as its purported rationale to shutter 13 locations. In 2017, the county's board of supervisors proposed slashing its number of polling places from 33 to 12 — but pushback from the community led to a compromise reduction to 20. Supervisors and election commissioners said the reason was ADA compliance, but radio journalists reported that they hadn't even attempted to understand how to determine ADA compliance.¹⁰¹ The officials also seemed to conflate ADA compliance with budget concerns, with one official saying, "I'm going [to] catch some hell about it but I'm not paying \$60 a vote."¹⁰² The ADA rationale is especially puzzling in light of a 2010 agreement between the DOJ and the county that specified exactly which polling places in the county were and were not ADA compliant. The agreement detailed specific corrective actions for the county to bring them up to code.¹⁰³



¹⁰¹ See Rashell Reese, New Voting Precincts Finalized for Pearl River County, WRJW (Oct. 19, 2017), <https://www.wrjwradio.com/single-post/2017/10/19/New-voting-precincts-finalized-for-Pearl-River-County>.

¹⁰² See Rashell Reese, New Voting Precincts Finalized for Pearl River County, WRJW (Oct. 19, 2017), <https://www.wrjwradio.com/single-post/2017/10/19/New-voting-precincts-finalized-for-Pearl-River-County>.

¹⁰³ See Pearl River County, Mississippi, (Dep't of Justice Jul. 20, 2010) (settlement agreement), https://www.ada.gov/pearl_co_pca/pearl_co_sa.htm.

A Tale of Two Jeffersons

In Louisiana, the largest closer of polling places was Jefferson Parish, which is 26 percent African American and 14 percent Latino and which had 25 fewer voting locations in 2018 than before the 2012 election. The sharp drop came in 2015 after a local disability rights group survey found that many polling places had "significant barriers to individuals with mobility impairments."¹⁰⁴ Instead of making modifications or finding more suitable voting locations, the parish closed 23 polling places.¹⁰⁵ In the three years since, the county has closed two more polling places. This development is not out of character for Jefferson Parish, which has a grave record of hostility toward Black residents' voting rights.¹⁰⁶

These actions stand in stark contrast to Jefferson County, Alabama, which has made efforts to ensure that polling place reductions are adopted as a last resort. Jefferson is the largest county in the state and home to Birmingham, as well as a population that is 42 percent African American and 4 percent Latino. The county, which eliminated five precincts, actively adds precincts when lines get long, as noted on its website, which documents all precinct changes.¹⁰⁷ And instead of closing the 32 polling places that were found out of compliance with the ADA in 2016, county officials worked to address as many problems as possible so they could keep the facilities open.¹⁰⁸

Instead of making modifications or finding more suitable voting locations, the parish closed 23 polling places.

¹⁰⁴ See Paul Purpura, Kenner Woman Sues Jefferson Parish to Get Better Access for Disabled Voters, TIMES-PICAYUNE | NEW ORLEANS ADVOC. (Jun. 9, 2010, 2:18AM), https://www.nola.com/politics/2010/06/kenner_woman_sues_jefferson_pa.html.

¹⁰⁵ See Wilborn P. Nobles III, Jefferson Parish Has 23 Fewer Places to Vote this Year; Here's Why, TIMES-PICAYUNE | NEW ORLEANS ADVOC. (Nov. 8, 2016, 9:57PM), https://www.nola.com/politics/2016/11/jefferson_fewer_voting_sites.html.

¹⁰⁶ See DEBO P. ADEGBILE, VOTING RIGHTS IN LOUISIANA 1982-2006, at 17-18, 23, 28, 45-46 (Mar. 2006), <http://www.protectcivilrights.org/pdf/voting/LouisianaVRA.pdf>.

¹⁰⁷ See generally Voting Precinct Changes, PROB. CT. OF JEFFERSON COUNTY, ALA., <http://jeffcprobatecourt.com/elections/voting-precinct-changes/> (last visited Aug. 6, 2019).

¹⁰⁸ See Alex Aubuchon, Jefferson County Disability Voting Settlement, ALA. PUB. RADIO (Oct. 31, 2016), <https://www.apr.org/post/jefferson-county-disability-voting-settlement>.

Complying with the ADA does not have to mean mass polling place closures.

Complying with the ADA does not have to mean mass polling place closures, as Jefferson County shows. Counties can keep polling places open and serving all voters — as opposed to no voters at all. Coconino County in Arizona settled with the DOJ after it found that 46 of its polling places, many of which were on tribal lands, were not compliant with the ADA in 2016.¹⁰⁹ The county, which is 26 percent Native American and 14 percent Latino, is working with the Navajo Nation to ensure compliance in advance of the 2020 election and, as per the settlement agreement, will “provide an accessible voting program, including a program that is accessible to persons with mobility or vision disabilities and accessible polling places at accessible sites.”¹¹⁰

Richland County, South Carolina, which is 48 percent African American, is also using ADA compliance to enhance voting opportunities. The county also entered a settlement agreement with the DOJ to improve access to polling places.¹¹¹ Instead of reducing voting locations, the county added them and improved access to curbside voting to inaccessible polling places.¹¹² This is a far cry from the discriminatory rhetoric used by a McLennan County, Texas, commissioner, who told the *Waco Tribune* that “the ADA is prohibiting people from voting.”¹¹³

There are myriad ways to ensure all voters have access to polling places and that all comply with DOJ guidance for polling place accessibility and the ADA; simply shutting down polling places without regard to voting rights has the opposite effect.

¹⁰⁹ See Anna V. Smith, Arizona’s Long Road to Make Elections Accessible, HIGH COUNTRY NEWS (Nov. 21, 2018), <https://www.hcn.org/articles/tribal-affairs-arizonas-long-road-to-make-elections-accessible>.

¹¹⁰ Kira Lerner, The ADA Is Being Used to Disenfranchise Minority Voters, THINKPROGRESS (Aug. 24, 2018, 1:46PM), <https://thinkprogress.org/ada-voter-suppression-cd7031080bfd/>.

¹¹¹ See Richland Cty. Bd. of Elections and Voter Registration, S.C., (Dep’t of Justice May 22, 2017) (settlement agreement), https://www.ada.gov/richland_county_sa.html.

¹¹² See Jason Axelrod, Civil Disability, AM. CITY & COUNTY (Informa PLC, London, SW1P 1WG), Jun. 5, 2018, <https://www.americancityandcounty.com/2018/06/05/civil-disability/>.

¹¹³ Cassie L. Smith, County Vote Centers Change, Creating Frustration, WACO TRIB.-HERALD (Jul. 10, 2017), https://www.wacotrib.com/news/elections/county-vote-centers-change-creating-frustration/article_6c134b4e-1551-5906-a96c-2458fe26f9d9.html.



School Safety: No Excuse to Deny Voting Rights

Our analysis indicates that a climate of fear of school shootings has contributed to an unintended — and unfortunate — outcome: fewer polling places.

In states and localities across our study, we found election and education officials citing school safety as a reason to remove polling places from schools. This unnecessary and counterproductive response has a corrosive effect on the right to vote in low-income neighborhoods, in rural communities, and for people with disabilities. It also erects barriers between communities and schools. That said, many communities are dealing with school safety concerns in a better way: by turning Election Day into a school holiday.

In Alabama, officials justified a spate of polling place consolidations in advance of the 2014 election as a response to school safety concerns and unverified claims of new state and federal regulations to remove polling places from schools. A local newspaper reported that several of Etowah County’s nine polling place closures were first explained as a response to “a new state law” that “mandates polling places be moved from schools for security reasons.”¹¹⁴ No such law exists. A subsequent article said that some closures were in response to “new federal regulations [that] prohibit voting locations at schools.”¹¹⁵ No such federal regulations exist. In Morgan County, where five polling places were consolidated to remove them from schools, the local election official said schools feared for their students’ safety, even telling a local newspaper that hosting polling places in schools is problematic because “you’re opening up the schoolchildren to potential threats.”¹¹⁶

¹¹⁴ See Donna Thornton, Possible Changes in District 2 Polls Bring Opposition, GADSDEN MESSENGER (Sep. 6, 2013), <https://gadsdenmessenger.com/2013/09/06/possible-changes-in-district-2-polls-bring-opposition/>.

¹¹⁵ See Lisa Rogers Savage, Some Voting Locations Changed, GADSDEN TIMES (May 31, 2014, 9:00PM), <https://www.gadsdentimes.com/news/20140531/some-voting-locations-changed>.

¹¹⁶ See Mary Sell, In Some Counties, Alabama Voters Have Lost a Quarter of Their Polling Places Since 2010, BIRMINGHAM WATCH (Nov. 2, 2018), <https://birminghamwatch.org/counties-alabama-voters-lost-quarter-polling-places-since-2010/>.

In Georgia, school and school board officials, out of widespread fear, removed polling places from schools and even changed state law to make it harder to place voting locations in schools. In Rockdale County, which is 51 percent African American, local election officials moved 10 polling places out of schools for security purposes, eliminating two voting locations in the process.¹¹⁷ During a local hearing about the consolidation, the elections board chair noted that no specific threats drove the change. “It is just the safety of the schools,” he said. “Leaving the schools open and people going in just creates some safety issues. If we go back to Columbine, a lot of things have changed since then. So since the schools are not always closed on election days, this would be the best move for us, to bring them out of the schools and put them in other locations, such as churches. But it was mainly for safety concerns.”¹¹⁸

The drive for closures is even prompting efforts to change state law to make it easier for schools to deny polling places.¹¹⁹ In Fulton County, several school officials, including the school board president, have called to remove voting locations from schools. “With all these shootings it’s scary to have people be able to walk into the schools,” Fulton School Board President Linda Bryant told the *Atlanta Journal-Constitution* in August 2018.¹²⁰ Fears are also alive in nearby Cobb County, which already has 12 fewer voting locations than before *Shelby* — and more potential cuts as the county considers removing more polling places from schools.¹²¹ In Cobb (which has approximately 60 polling places in schools), and Fulton (which has more than 50), the burden on local election officials to find replacement voting locations would be significant. The effort is also especially vexing for Fulton and Cobb Counties, which already close schools on election days to separate voters from students. “We try to accommodate it,” Richard Barron, Fulton County’s elections director told WABE radio. “It’s just going to get to a point where there are areas in the county where we have no options, and we can’t keep consolidating locations.”¹²² Such closures could be devastating for low-income and rural voters, as well as voters of color, who often live in communities with fewer accessible polling places.

The effort to remove polling places from schools was also cited by an election official in Harrison County, Mississippi, a leading closer of polling places.¹²³

¹¹⁷ See Larry Stanford, Rockdale Board of Elections Approves New Precinct Voting Locations, ROCKDALE CITIZEN & NEWTON CITIZEN (Feb. 14, 2018), https://www.rockdaleneftoncitizen.com/news/local/rockdale-changing-some-voting-precinct-locations/article_037a8b97-df6a-5bde-ae1f-ea988621d52e.html; see 2013-2017 American Community Survey 5-Year Estimates, Table B03002, U.S. CENSUS BUREAU (2017), https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_B03002&prodType=table.

¹¹⁸ Larry Stanford, Rockdale Board of Elections Approves New Precinct Voting Locations, ROCKDALE CITIZEN & NEWTON CITIZEN (Feb. 14, 2018), https://www.rockdaleneftoncitizen.com/news/local/rockdale-changing-some-voting-precinct-locations/article_037a8b97-df6a-5bde-ae1f-ea988621d52e.html.

¹¹⁹ See Vanessa McCray, Schools No Longer Best Voting Place, Says Fulton School Board, AJC (Aug. 24, 2018), <https://www.ajc.com/news/local-education/schools-longer-best-voting-place-says-fulton-school-board/h0mZmOGxq4Izuv9Cpl1eLl/>.

¹²⁰ Vanessa McCray, Schools No Longer Best Voting Place, Says Fulton School Board, AJC (Aug. 24, 2018), <https://www.ajc.com/news/local-education/schools-longer-best-voting-place-says-fulton-school-board/h0mZmOGxq4Izuv9Cpl1eLl/>.

¹²¹ See Ross Terrell, School Safety Concerns Starting to Change Metro Atlanta Voting Locations, WABE (Jun. 1, 2018), <https://www.wabe.org/school-safety-concerns-starting-to-change-metro-atlanta-voting-locations/>.

¹²² See Ross Terrell, School Safety Concerns Starting to Change Metro Atlanta Voting Locations, WABE (Jun. 1, 2018), <https://www.wabe.org/school-safety-concerns-starting-to-change-metro-atlanta-voting-locations/>.

¹²³ See Anna Wolfe & Alex Rozier, Free From Federal Oversight, 5 Percent of Mississippi Polling Locations Have Closed Since 2013, MISS. TODAY (Oct. 24, 2018), <https://mississippitoday.org/2018/10/24/free-from-federal-oversight-5-percent-of-mississippi-polling-locations-have-closed-since-2013/>.

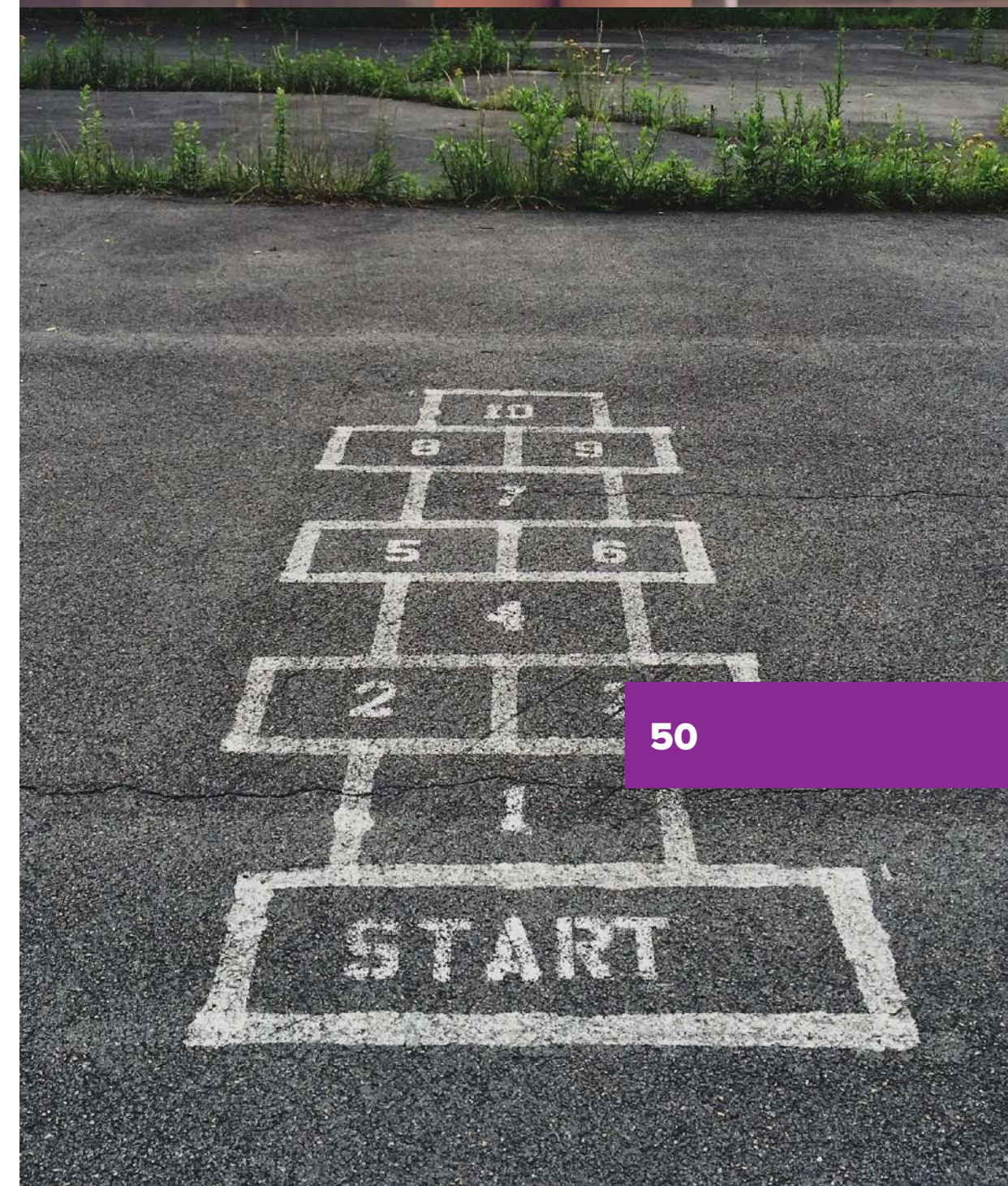
But school safety and voter access aren't at odds with one another.

Indeed, it is possible to protect students while ensuring voting rights. One key way is to not hold school on election days — the practice in Fulton and Cobb Counties in Georgia, Richardson County in Texas,¹²⁴ and throughout North Carolina.¹²⁵ A local official in Richardson County, Texas, pointed to the dividends in civic engagement. A city council official in Dallas, meanwhile, told the *Dallas News* that “having Election Day off could also give students an opportunity to go to the polling place with their parents.”¹²⁶

¹²⁴ See Dana Branham & Nanette Light, Richardson ISD Cancels Class on Election Day, Citing Security Risks of Voters in Schools, DALLAS NEWS (Aug. 1, 2018 7:45 PM), <https://www.dallasnews.com/news/education/2018/08/01/richardson-cancels-class-election-day-citing-security-risks-voters-schools>

¹²⁵ See also Billy Ball, Some North Carolina Schools to Close or Change Schedule Due to Election Day Voting, THE PROGRESSIVE PULSE (Nov. 4, 2016), <http://pulse.ncpolicywatch.org/2016/11/04/north-carolina-schools-close-change-schedule-due-election-day-voting/>

¹²⁶ Dana Branham & Nanette Light, Richardson ISD Cancels Class on Election Day, Citing Security Risks of Voters in Schools, DALLAS NEWS (Aug. 1, 2018 7:45 PM), <https://www.dallasnews.com/news/education/2018/08/01/richardson-cancels-class-election-day-citing-security-risks-voters-schools>.





Best Practices

South Carolina stood out for its tradition of keeping polling places open. Of 1,922 polling places that were open in 2012, we found that only 18 have closed — a closure rate of merely .009 percent. We attribute this to state laws requiring multiple local and state elected officials to approve all polling place closures, a conclusion we arrived at through research and interviews with local advocates.

State laws also ensure that changes to polling places are transparent. And they require consensus among local and state elected officials in order to close polling places, which is unique to South Carolina. The South Carolina Code of Laws’ section on elections requires that any polling place change from a county election board must also be approved by the county legislative delegation, a body comprising the county’s elected representatives to the state legislature. And it also requires that precincts are “designated, fixed, and established by the General Assembly” and signed by the governor.¹²⁷

Yet despite South Carolina’s positive steps to ensure an inclusive democracy, a gaping policy hole remains: No racial impact analysis is required, leaving the public without a key way to determine who will or may be harmed by polling place changes. This critical data point must be a determinative factor in the deliberative process.

¹²⁷ S.C. Code § 7-7-10 (2018) (effective June 14, 2000), <https://www.scstatehouse.gov/code/statmast.php>.



Conclusion

Since *Shelby*, the national conversation about barriers to voting in the absence of Section 5 has focused on statewide issues like restrictive voter identification laws, racially discriminatory redistricting plans, and efforts to curtail policies that make voting more accessible, like early voting and same-day registration.

Identifying and describing polling place closures paints a fuller picture about how racial discrimination happens without appropriate oversight. We can fill in more details of this picture about how local decisions greatly impact the ability of communities of color to cast ballots for their candidates of choice.

Next to the ballot itself, the most identifiable element of our democracy's voting process is the polling place. It should — and it must — be accessible to all. When it is not, the barriers to participation can be high. Moving or closing a polling place — particularly without notice or input from communities — disrupts our democracy. It can mean the choice between picking up a child from school or voting. Taking needed overtime or voting. Or taking a bus across town or voting. In a truly inclusive democracy, no one is forced to make these difficult choices.

While there are justifiable reasons for closing polling places, the sheer scale of closures we've identified since *Shelby*, coupled with other, more nakedly racially discriminatory actions to deny voting rights to people of color, demand a response. The federal government must scrutinize these closures — especially in states and localities formerly covered by Section 5.

The best way to do that is to restore the Voting Rights Act, reactivate Section 5, and strengthen its other provisions that require elected officials to seek the input of communities of color and provide notice of any polling place change for any reason.

Methodology

This analysis quantifies the number of Election Day polling places that have closed in jurisdictions once covered by Section 5 of the Voting Rights Act since the *Shelby County v. Holder* decision rendered that provision inoperable in 2013.

This report studies 757 of the approximately 861 counties and county-level equivalents once covered by Section 5. It only includes jurisdictions where The Leadership Conference Education Fund could acquire accurate polling place lists or counts from state or local election officials or reputable media sources for general elections in 2012, 2014, 2016, and/or 2018. Counties where we could not obtain reliable data (Virginia and three from Texas) were excluded from the report.

Data for every county and state (including partially covered states like Florida, New York, California, and South Dakota) are included in the Appendix.

Data were compiled for this report from the following sources:

- Public records requests from state election officials
- Posted lists of polling places on county websites
- Reputable news sources documenting lists of polling places
- The federal Election Assistance Commission's Election Administration and Voting Survey (EAVS)

For all lists of polling places from records requests and posted online, each polling place with a unique address or name was counted. Multiple polling places listed at the same address were counted as one polling place. Counts were conducted multiple times to ensure accuracy for each county.

For EAVS counts, the survey is voluntarily submitted by state election officials to the EAC and includes questions about how elections are conducted in each state. One of the data points collected in the EAVS is the total number of Election Day physical polling places in each county. The EAVS does not ask for polling place location data that includes addresses or zip codes, so it could not be determined where polling places were closed within counties — only the total number of polling places in each county.

- In EAVS for 2012, 2014, and 2016: The surveys ask three questions to determine the total number of Election Day polling places in Section D under the header “Election Day voting.” Question D2b asks for “Physical polling places other than election offices,” Question D2c asks about “Election offices,” and D2d asks about “Other” and provides a space for comment. The total number of Election Day polling places was determined by totaling the answers for all three questions.
- In EAVS for 2018: In question D4a, the survey asks officials to “report the total number of physical polling places in your jurisdiction for Election Day voting.” It then asks for officials to demonstrate how that total number breaks down between “physical polling places other than election offices (*e.g.*, libraries, schools, mobile voting location)” in question D3b and “polling places that are a part of the election office” for question D4c. For this study, we only used the self-reported total in question D4a. We did use D4b and D4c as well as a comments field to provide context to the total number.

How Analysis was Conducted

Because of the decentralized nature of election administration and vast differences in how or if states and counties manage, share, and make polling place data public, The Education Fund determined which data sources it would rely on and which elections it would compare on a county-by-county basis depending on data quality.

Where possible, we first opted for primary source hand-counts of polling place lists provided directly by state and county election offices and reputable news sources. When those sources were not available, we used EAVS data. We made good faith attempts to include reliable information for every county once covered by Section 5.

Benchmark Elections: For each county, we designated a past general election with the most reliable data to serve as a Benchmark Election. Where possible (709 counties), we used the 2012 general election as this benchmark, the last election to occur pre-*Shelby*. Where reliable information for 2012 could not be acquired, we relied on counts for the 2014 (41 counties) and 2016 (six counties) elections.

Post-*Shelby* Elections: Post-*Shelby* election counts are for the most recent general election in which reliable polling place data could be acquired for a given county. Where possible (in 737 counties), we used 2018, the most recent election prior to the publication of this report. Where reliable information for 2018 could not be acquired, we used counts from the 2016 election (20 counties).

In order to determine the number and percentage of polling places closures in each county, we compared the number of Election Day polling places open in a given county in its designated post-*Shelby* election with the number that were open in its Benchmark Election. The election years and data-sources used are marked for each individual county listed in Appendix A.

We also conducted an analysis to understand if the number of polling places fluctuates with turnout differences between midterm and presidential election years. We were concerned that counties in our study may regularly open fewer polling places during midterm election years because of expected lower turnout and therefore impact our results. Our analysis of counties in this study found that not to be the case. Counties in our study generally do not open fewer polling places in midterm election years than in presidential election years.

In every state, local advocates vetted our analysis and provided context for our findings and a sense of what is happening on the ground.

Appendix: Data Set for All Included Counties

State	County	# Changed	% Changed	Benchmark Election Count	Benchmark Election Year	Benchmark Election Source	Post-Shelby Election Count	Post-Shelby Election Year	Post-Shelby Election Source	Midterm to Midterm	2014 Midterm Count	2014 Midterm Source
AK	ALEUTIANS EAST	0	0%	4	2012	Handcount	4	2018	Handcount	0	4	Handcount
AK	BRISTOL BAY	0	0%	3	2012	Handcount	3	2018	Handcount	0	3	Handcount
AK	DENALI	-1	-20%	5	2012	Handcount	4	2018	Handcount	-1	5	Handcount
AK	FAIRBANKS NORTH	0	0%	37	2012	Handcount	37	2018	Handcount	0	37	Handcount
AK	HAINES	0	0%	2	2012	Handcount	2	2018	Handcount	0	2	Handcount
AK	JUNEAU	0	0%	13	2012	Handcount	13	2018	Handcount	0	13	Handcount
AK	KENAI PENINSULA	-1	-4%	26	2012	Handcount	25	2018	Handcount	0	25	Handcount
AK	KETCHIKAN GATEWAY	0	0%	7	2012	Handcount	7	2018	Handcount	0	7	Handcount
AK	KODIAK ISLAND	0	0%	9	2012	Handcount	9	2018	Handcount	-1	10	Handcount
AK	LAKE & PENINSULA	0	0%	8	2012	Handcount	8	2018	Handcount	0	8	Handcount
AK	MATANUSKA-SUSITNA	2	5%	39	2012	Handcount	41	2018	Handcount	0	41	Handcount
AK	MUNICIPALITY OF ANCHORAGE	2	2%	119	2012	Handcount	121	2018	Handcount	13	108	Handcount
AK	NORTH SLOPE	0	0%	9	2012	Handcount	9	2018	Handcount	0	9	Handcount
AK	NORTHWEST ARCTIC	0	0%	11	2012	Handcount	11	2018	Handcount	0	11	Handcount
AK	PETERSBURG	0	0%	1	2012	Handcount	1	2018	Handcount	0	1	Handcount
AK	SITKA	0	0%	1	2012	Handcount	1	2018	Handcount	0	1	Handcount
AK	SKAGWAY	0	0%	1	2012	Handcount	1	2018	Handcount	0	1	Handcount
AK	WRANGELL	0	0%	1	2012	Handcount	1	2018	Handcount	0	1	Handcount
AK	YAKUTAT	0	0%	1	2012	Handcount	1	2018	Handcount	0	1	Handcount
AK	UNORGANIZED	-4	-4%	93	2012	Handcount	89	2018	Handcount	-3	92	Handcount
AL	AUTAUGA COUNTY	0	0%	19	2012	Handcount	19	2018	Handcount	1	18	Handcount
AL	BALDWIN COUNTY	3	7%	46	2012	Handcount	49	2018	Handcount	3	46	Handcount
AL	BARBOUR COUNTY	-1	-6%	17	2012	Handcount	16	2018	Handcount	0	16	Handcount
AL	BIBB COUNTY	0	0%	8	2012	Handcount	8	2018	Handcount	0	8	Handcount
AL	BLOUNT COUNTY	0	0%	24	2012	Handcount	24	2018	Handcount	0	24	Handcount
AL	BULLOCK COUNTY	0	0%	15	2014	Handcount	15	2018	Handcount	0	15	Handcount
AL	BUTLER COUNTY	-1	-5%	22	2014	Handcount	21	2018	Handcount	-1	22	Handcount
AL	CALHOUN COUNTY	-4	-8%	48	2012	Handcount	44	2018	Handcount	-1	45	Handcount
AL	CHAMBERS COUNTY	-1	-5%	21	2012	Handcount	20	2018	Handcount	-1	21	Handcount

State	County	# Changed	% Changed	Benchmark Election Count	Benchmark Election Year	Benchmark Election Source	Post-Shelby Election Count	Post-Shelby Election Year	Post-Shelby Election Source	Midterm to Midterm	2014 Midterm Count	2014 Midterm Source
AL	CHEROKEE COUNTY	0	0%	23	2012	Handcount	23	2018	Handcount	0	23	Handcount
AL	CHILTON COUNTY	-2	-11%	18	2012	Handcount	16	2018	Handcount	0	16	Handcount
AL	CHOCTAW COUNTY	-2	-6%	32	2012	Handcount	30	2018	Handcount	-2	32	Handcount
AL	CLARKE COUNTY	2	7%	27	2012	Handcount	29	2018	Handcount	0	29	Handcount
AL	CLAY COUNTY	1	7%	14	2012	Handcount	15	2018	Handcount	0	15	Handcount
AL	CLEBURNE COUNTY	0	0%	14	2012	Handcount	14	2018	Handcount	0	14	Handcount
AL	COFFEE COUNTY	0	0%	29	2012	Handcount	29	2018	Handcount	0	29	Handcount
AL	COLBERT COUNTY	-1	-3%	36	2012	Handcount	35	2018	Handcount	0	35	Handcount
AL	CONECUH COUNTY	1	4%	26	2012	Handcount	27	2018	Handcount	0	27	Handcount
AL	COOSA COUNTY	0	0%	12	2012	Handcount	12	2018	Handcount	0	12	Handcount
AL	COVINGTON COUNTY	0	0%	25	2012	Handcount	25	2018	Handcount	0	25	Handcount
AL	CRENSHAW COUNTY	0	0%	18	2012	Handcount	18	2018	Handcount	0	18	Handcount
AL	CULLMAN COUNTY	0	0%	49	2012	Handcount	49	2018	Handcount	0	49	Handcount
AL	DALE COUNTY	0	0%	19	2012	Handcount	19	2018	Handcount	0	19	Handcount
AL	DALLAS COUNTY	2	7%	29	2012	Handcount	31	2018	Handcount	2	29	Handcount
AL	DEKALB COUNTY	-1	-2%	45	2012	Handcount	44	2018	Handcount	0	44	Handcount
AL	ELMORE COUNTY	1	4%	28	2012	Handcount	29	2018	Handcount	1	28	Handcount
AL	ESCAMBIA COUNTY	0	0%	29	2012	Handcount	29	2018	Handcount	0	29	Handcount
AL	ETOWAH COUNTY	-9	-22%	41	2012	Handcount	32	2018	Handcount	-1	33	Handcount
AL	FAYETTE COUNTY	0	0%	27	2012	Handcount	27	2018	Handcount	0	27	Handcount
AL	FRANKLIN COUNTY	-1	-4%	24	2012	Handcount	23	2018	Handcount	-1	24	Handcount
AL	GENEVA COUNTY	-1	-4%	25	2012	Handcount	24	2018	Handcount	-1	25	Handcount
AL	GREENE COUNTY	0	0%	14	2012	Handcount	14	2018	Handcount	0	14	Handcount
AL	HALE COUNTY	0	0%	14	2014	Handcount	14	2018	Handcount	0	14	Handcount
AL	HENRY COUNTY	0	0%	13	2012	Handcount	13	2018	Handcount	0	13	Handcount
AL	HOUSTON COUNTY	1	4%	26	2012	Handcount	27	2018	Handcount	0	27	Handcount
AL	JACKSON COUNTY	0	0%	37	2012	Handcount	37	2018	Handcount	0	37	Handcount
AL	JEFFERSON COUNTY	-5	-3%	177	2012	Handcount	172	2018	Handcount	-1	173	Handcount
AL	LAMAR COUNTY	0	0%	22	2012	Handcount	22	2018	Handcount	0	22	Handcount
AL	LAUDERDALE COUNTY	0	0%	31	2012	Handcount	31	2018	Handcount	0	31	Handcount
AL	LAWRENCE COUNTY	0	0%	29	2012	Handcount	29	2018	Handcount	0	29	Handcount
AL	LEE COUNTY	1	4%	23	2012	Handcount	24	2018	Handcount	1	23	Handcount
AL	LIMESTONE COUNTY	0	0%	25	2012	Handcount	25	2018	Handcount	0	25	Handcount
AL	LOWNDES COUNTY	0	0%	12	2012	Handcount	12	2018	Handcount	0	12	Handcount

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AL	MACON COUNTY	0	0%	14	2012	Handcount	14	2018	Handcount	0	14	Handcount
AL	MADISON COUNTY	-4	-5%	75	2012	Handcount	71	2018	Handcount	-1	72	Handcount
AL	MARENGO COUNTY	-3	-14%	22	2012	Handcount	19	2018	Handcount	-3	22	Handcount
AL	MARION COUNTY	-1	-5%	20	2012	Handcount	19	2018	Handcount	-1	20	Handcount
AL	MARSHALL COUNTY	-10	-26%	38	2012	Handcount	28	2018	Handcount	-2	30	Handcount
AL	MOBILE COUNTY	-10	-10%	98	2012	Handcount	88	2018	Handcount	0	88	Handcount
AL	MONROE COUNTY	-1	-3%	31	2012	Handcount	30	2018	Handcount	0	30	Handcount
AL	MONTGOMERY COUNTY	4	9%	46	2012	Handcount	50	2018	Handcount	9	41	Handcount
AL	MORGAN COUNTY	-5	-11%	44	2012	Handcount	39	2018	Handcount	-1	40	Handcount
AL	PERRY COUNTY	0	0%	12	2012	Handcount	12	2018	Handcount	0	12	Handcount
AL	PICKENS COUNTY	0	0%	19	2012	Handcount	19	2018	Handcount	0	19	Handcount
AL	PIKE COUNTY	1	4%	28	2012	Handcount	29	2018	Handcount	0	29	Handcount
AL	RANDOLPH COUNTY	-1	-4%	23	2012	Handcount	22	2018	Handcount	-1	23	Handcount
AL	RUSSELL COUNTY	0	0%	17	2012	Handcount	17	2018	Handcount	0	17	Handcount
AL	SHELBY COUNTY	-3	-6%	47	2012	Handcount	44	2018	Handcount	-3	47	Handcount
AL	ST. CLAIR COUNTY	-1	-3%	31	2012	Handcount	30	2018	Handcount	-1	31	Handcount
AL	SUMTER COUNTY	0	0%	13	2012	Handcount	13	2018	Handcount	0	13	Handcount
AL	TALLADEGA COUNTY	0	0%	26	2012	Handcount	26	2018	Handcount	0	26	Handcount
AL	TALLAPOOSA COUNTY	1	4%	25	2012	Handcount	26	2018	Handcount	0	26	Handcount
AL	TUSCALOOSA COUNTY	0	0%	54	2012	Handcount	54	2018	Handcount	0	54	Handcount
AL	WALKER COUNTY	0	0%	45	2012	Handcount	45	2018	Handcount	0	45	Handcount
AL	WASHINGTON COUNTY	3	18%	17	2012	Handcount	20	2018	Handcount	1	19	Handcount
AL	WILCOX COUNTY	-4	-15%	26	2014	Handcount	22	2018	Handcount	-4	26	Handcount
AL	WINSTON COUNTY	0	0%	18	2012	Handcount	18	2018	Handcount	0	18	Handcount
AZ	APACHE COUNTY	1	2%	42	2012	EAVS	43	2018	Handcount	0	43	EAVS
AZ	COCHISE COUNTY	-32	-65%	49	2012	EAVS	17	2018	Handcount	-32	49	EAVS
AZ	COCONINO COUNTY	-9	-14%	64	2012	EAVS	55	2018	Handcount	-9	64	EAVS
AZ	GILA COUNTY	-16	-48%	33	2012	EAVS	17	2018	Handcount	N/A	N/A	N/A
AZ	GRAHAM COUNTY	-9	-50%	18	2012	EAVS	9	2018	Handcount	0	9	EAVS
AZ	GREENLEE COUNTY	-3	-38%	8	2012	EAVS	5	2018	Handcount	-3	8	EAVS

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AZ	LA PAZ COUNTY	-1	-11%	9	2012	EAVS	8	2018	Handcount	-1	9	EAVS
AZ	MARICOPA COUNTY	-171	-25%	671	2012	Handcount	500	2018	Handcount	-149	649	Handcount
AZ	MOHAVE COUNTY	-34	-49%	70	2012	EAVS	36	2018	Handcount	-30	66	EAVS
AZ	NAVAJO COUNTY	-2	-4%	52	2012	EAVS	50	2018	Handcount	11	39	EAVS
AZ	PIMA COUNTY	-31	-11%	280	2012	EAVS	249	2018	Handcount	7	242	EAVS
AZ	PINAL COUNTY	2	2%	98	2012	EAVS	100	2018	Handcount	3	97	EAVS
AZ	SANTA CRUZ COUNTY	-5	-29%	17	2012	EAVS	12	2018	Handcount	-5	17	EAVS
AZ	YAVAPAI COUNTY	-5	-17%	30	2012	EAVS	25	2018	Handcount	-5	30	EAVS
AZ	YUMA COUNTY	-2	-18%	11	2012	EAVS	9	2018	Handcount	-1	10	EAVS
CA	KINGS COUNTY	-13	-37%	35	2012	EAVS	22	2018	Handcount	-13	35	EAVS
CA	MONTEREY COUNTY	0	0%	83	2012	EAVS	83	2018	Handcount	-1	84	EAVS
CA	YUBA COUNTY	-7	-26%	27	2012	EAVS	20	2018	EAVS	-6	26	EAVS
FL	COLLIER COUNTY	-1	-2%	60	2012	Handcount	59	2018	Handcount	2	57	Handcount
FL	HARDEE COUNTY	1	8%	12	2012	Handcount	13	2016	Handcount	1	12	Handcount
FL	HENDRY COUNTY	0	0%	10	2012	Handcount	10	2018	Handcount	0	10	Handcount
FL	HILLSBOROUGH COUNTY	-19	-7%	276	2012	EAVS	257	2018	Handcount	-22	279	EAVS
FL	MONROE COUNTY	-2	-7%	29	2012	Handcount	27	2018	Handcount	-3	30	Handcount
GA	APPLING COUNTY	-7	-44%	16	2012	AJC	9	2018	AJC	-5	14	AJC
GA	ATKINSON COUNTY	0	0%	4	2012	AJC	4	2018	AJC	0	4	AJC
GA	BACON COUNTY	-4	-80%	5	2012	AJC	1	2018	AJC	-4	5	AJC
GA	BAKER COUNTY	0	0%	5	2012	AJC	5	2018	AJC	0	5	AJC
GA	BALDWIN COUNTY	0	0%	14	2012	AJC	14	2018	AJC	0	14	AJC
GA	BANKS COUNTY	0	0%	13	2012	AJC	13	2018	AJC	0	13	AJC
GA	BARROW COUNTY	0	0%	16	2012	AJC	16	2018	AJC	0	16	AJC
GA	BARTOW COUNTY	-1	-6%	17	2012	AJC	16	2018	AJC	-1	17	AJC
GA	BEN HILL COUNTY	-3	-60%	5	2012	AJC	2	2018	AJC	0	2	AJC
GA	BERRIEN COUNTY	-2	-29%	7	2012	AJC	5	2018	AJC	-2	7	AJC
GA	BIBB COUNTY	-9	-23%	40	2012	AJC	31	2018	AJC	-9	40	AJC
GA	BLECKLEY COUNTY	0	0%	1	2012	AJC	1	2018	AJC	0	1	AJC
GA	BRANTLEY COUNTY	-6	-67%	9	2012	AJC	3	2018	AJC	0	3	AJC

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GA	BROOKS COUNTY	-2	-22%	9	2012	AJC	7	2018	AJC	0	7	AJC
GA	BRYAN COUNTY	0	0%	10	2012	AJC	10	2018	AJC	0	10	AJC
GA	BULLOCH COUNTY	0	0%	16	2012	AJC	16	2018	AJC	0	16	AJC
GA	BURKE COUNTY	0	0%	16	2012	AJC	16	2018	AJC	0	16	AJC
GA	BUTTS COUNTY	-4	-80%	5	2012	AJC	1	2018	AJC	-4	5	AJC
GA	CALHOUN COUNTY	0	0%	5	2012	AJC	5	2018	AJC	0	5	AJC
GA	CAMDEN COUNTY	0	0%	14	2012	AJC	14	2018	AJC	0	14	AJC
GA	CANDLER COUNTY	0	0%	2	2012	AJC	2	2018	AJC	0	2	AJC
GA	CARROLL COUNTY	-2	-7%	30	2012	AJC	28	2018	AJC	-2	30	AJC
GA	CATOOSA COUNTY	-1	-8%	12	2012	AJC	11	2018	AJC	0	11	AJC
GA	CHARLTON COUNTY	-1	-11%	9	2012	AJC	8	2018	AJC	-1	9	AJC
GA	CHATHAM COUNTY	1	1%	89	2012	AJC	90	2018	AJC	1	89	AJC
GA	CHATTAHOOCHEE COUNTY	0	0%	1	2012	AJC	1	2018	AJC	0	1	AJC
GA	CHATTOOGA COUNTY	2	18%	11	2012	AJC	13	2018	AJC	1	12	AJC
GA	CHEROKEE COUNTY	0	0%	42	2012	AJC	42	2018	AJC	0	42	AJC
GA	CLARKE COUNTY	0	0%	24	2012	AJC	24	2018	AJC	0	24	AJC
GA	CLAY COUNTY	0	0%	5	2012	AJC	5	2018	AJC	0	5	AJC
GA	CLAYTON COUNTY	0	0%	58	2012	AJC	58	2018	AJC	0	58	AJC
GA	CLINCH COUNTY	0	0%	5	2012	AJC	5	2018	AJC	0	5	AJC
GA	COBB COUNTY	-12	-8%	153	2012	AJC	141	2018	AJC	-4	145	AJC
GA	COFFEE COUNTY	0	0%	6	2012	AJC	6	2018	AJC	0	6	AJC
GA	COLQUITT COUNTY	0	0%	19	2012	AJC	19	2018	AJC	0	19	AJC
GA	COLUMBIA COUNTY	0	0%	42	2012	AJC	42	2018	AJC	-3	45	AJC
GA	COOK COUNTY	0	0%	8	2012	AJC	8	2018	AJC	0	8	AJC
GA	COWETA COUNTY	-1	-4%	28	2012	AJC	27	2018	AJC	-1	28	AJC
GA	CRAWFORD COUNTY	0	0%	6	2012	AJC	6	2018	AJC	0	6	AJC
GA	CRISP COUNTY	0	0%	5	2012	AJC	5	2018	AJC	0	5	AJC
GA	DADE COUNTY	0	0%	7	2012	AJC	7	2018	AJC	0	7	AJC
GA	DAWSON COUNTY	0	0%	3	2012	AJC	3	2018	AJC	0	3	AJC
GA	DECATUR COUNTY	0	0%	9	2012	AJC	9	2018	AJC	0	9	AJC

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GA	DEKALB COUNTY	3	2%	189	2012	AJC	192	2018	AJC	3	189	AJC
GA	DODGE COUNTY	0	0%	16	2012	AJC	16	2018	AJC	0	16	AJC
GA	DOOLY COUNTY	0	0%	5	2012	AJC	5	2018	AJC	0	5	AJC
GA	DOUGHERTY COUNTY	0	0%	28	2012	AJC	28	2018	AJC	0	28	AJC
GA	DOUGLAS COUNTY	0	0%	25	2012	AJC	25	2018	AJC	0	25	AJC
GA	EARLY COUNTY	-6	-55%	11	2012	AJC	5	2018	AJC	-6	11	AJC
GA	ECHOLS COUNTY	0	0%	1	2012	AJC	1	2018	AJC	0	1	AJC
GA	EFFINGHAM COUNTY	0	0%	17	2012	AJC	17	2018	AJC	0	17	AJC
GA	ELBERT COUNTY	0	0%	11	2012	AJC	11	2018	AJC	0	11	AJC
GA	EMANUEL COUNTY	-1	-8%	12	2012	AJC	11	2018	AJC	-1	12	AJC
GA	EVANS COUNTY	0	0%	1	2012	AJC	1	2018	AJC	0	1	AJC
GA	FANNIN COUNTY	0	0%	12	2012	AJC	12	2018	AJC	0	12	AJC
GA	FAYETTE COUNTY	0	0%	36	2012	AJC	36	2018	AJC	0	36	AJC
GA	FLOYD COUNTY	0	0%	25	2012	AJC	25	2018	AJC	0	25	AJC
GA	FORSYTH COUNTY	-9	-36%	25	2012	AJC	16	2018	AJC	0	16	AJC
GA	FRANKLIN COUNTY	-6	-46%	13	2012	AJC	7	2018	AJC	-6	13	AJC
GA	FULTON COUNTY	22	6%	351	2012	AJC	373	2018	AJC	7	366	AJC
GA	GILMER COUNTY	0	0%	13	2012	AJC	13	2018	AJC	0	13	AJC
GA	GLASCOCK COUNTY	0	0%	4	2012	AJC	4	2018	AJC	0	4	AJC
GA	GLYNN COUNTY	0	0%	21	2012	AJC	21	2018	AJC	0	21	AJC
GA	GORDON COUNTY	-1	-8%	13	2012	AJC	12	2018	AJC	0	12	AJC
GA	GRADY COUNTY	0	0%	13	2012	AJC	13	2018	AJC	0	13	AJC
GA	GREENE COUNTY	-3	-38%	8	2012	AJC	5	2018	AJC	-3	8	AJC
GA	GWINNETT COUNTY	1	1%	156	2012	AJC	157	2018	AJC	1	156	AJC
GA	HABERSHAM COUNTY	-7	-50%	14	2012	AJC	7	2018	AJC	2	5	AJC
GA	HALL COUNTY	-4	-11%	35	2012	AJC	31	2018	AJC	-4	35	AJC
GA	HANCOCK COUNTY	3	43%	7	2012	AJC	10	2018	AJC	0	10	AJC
GA	HARALSON COUNTY	0	0%	12	2012	AJC	12	2018	AJC	0	12	AJC
GA	HARRIS COUNTY	0	0%	12	2012	AJC	12	2018	AJC	0	12	AJC
GA	HART COUNTY	0	0%	7	2012	AJC	7	2018	AJC	0	7	AJC

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GA	HEARD COUNTY	-3	-33%	9	2012	AJC	6	2018	AJC	0	6	AJC
GA	HENRY COUNTY	-1	-3%	38	2012	AJC	37	2018	AJC	-1	38	AJC
GA	HOUSTON COUNTY	-7	-30%	23	2012	AJC	16	2018	AJC	-3	19	AJC
GA	IRWIN COUNTY	-5	-63%	8	2012	AJC	3	2018	AJC	-5	8	AJC
GA	JACKSON COUNTY	-12	-75%	16	2012	AJC	4	2018	AJC	-12	16	AJC
GA	JASPER COUNTY	-4	-57%	7	2012	AJC	3	2018	AJC	0	3	AJC
GA	JEFF DAVIS COUNTY	0	0%	9	2012	AJC	9	2018	AJC	0	9	AJC
GA	JEFFERSON COUNTY	0	0%	8	2012	AJC	8	2018	AJC	0	8	AJC
GA	JENKINS COUNTY	0	0%	5	2012	AJC	5	2018	AJC	0	5	AJC
GA	JOHNSON COUNTY	0	0%	4	2012	AJC	4	2018	AJC	0	4	AJC
GA	JONES COUNTY	-1	-9%	11	2012	AJC	10	2018	AJC	0	10	AJC
GA	LAMAR COUNTY	0	0%	6	2012	AJC	6	2018	AJC	0	6	AJC
GA	LANIER COUNTY	-3	-75%	4	2012	AJC	1	2018	AJC	-3	4	AJC
GA	LAURENS COUNTY	-1	-6%	17	2012	AJC	16	2018	AJC	-1	17	AJC
GA	LEE COUNTY	0	0%	10	2012	AJC	10	2018	AJC	0	10	AJC
GA	LIBERTY COUNTY	0	0%	13	2012	AJC	13	2018	AJC	0	13	AJC
GA	LINCOLN COUNTY	0	0%	7	2012	AJC	7	2018	AJC	0	7	AJC
GA	LONG COUNTY	2	40%	5	2012	AJC	7	2018	AJC	0	7	AJC
GA	LOWNDES COUNTY	-3	-25%	12	2012	AJC	9	2018	AJC	0	9	AJC
GA	LUMPKIN COUNTY	-8	-89%	9	2012	AJC	1	2018	AJC	-6	7	AJC
GA	MACON COUNTY	0	0%	5	2012	AJC	5	2018	AJC	0	5	AJC
GA	MADISON COUNTY	0	0%	12	2012	AJC	12	2018	AJC	0	12	AJC
GA	MARION COUNTY	-2	-29%	7	2012	AJC	5	2018	AJC	-2	7	AJC
GA	MCDUFFIE COUNTY	-1	-10%	10	2012	AJC	9	2018	AJC	-1	10	AJC
GA	MCINTOSH COUNTY	0	0%	6	2012	AJC	6	2018	AJC	0	6	AJC
GA	MERIWETHER COUNTY	0	0%	14	2012	AJC	14	2018	AJC	0	14	AJC
GA	MILLER COUNTY	0	0%	1	2012	AJC	1	2018	AJC	0	1	AJC
GA	MITCHELL COUNTY	0	0%	11	2012	AJC	11	2018	AJC	0	11	AJC
GA	MONROE COUNTY	0	0%	14	2012	AJC	14	2018	AJC	0	14	AJC
GA	MONTGOMERY COUNTY	0	0%	7	2012	AJC	7	2018	AJC	0	7	AJC

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GA	MORGAN COUNTY	-4	-36%	11	2012	AJC	7	2018	AJC	0	7	AJC
GA	MURRAY COUNTY	0	0%	7	2012	AJC	7	2018	AJC	0	7	AJC
GA	MUSCOGEE COUNTY	-3	-11%	28	2012	AJC	25	2018	AJC	-2	27	AJC
GA	NEWTON COUNTY	0	0%	22	2012	AJC	22	2018	AJC	0	22	AJC
GA	OCONEE COUNTY	0	0%	13	2012	AJC	13	2018	AJC	0	13	AJC
GA	OGLETHORPE COUNTY	-7	-70%	10	2012	AJC	3	2018	AJC	0	3	AJC
GA	PAULDING COUNTY	-2	-14%	14	2012	AJC	12	2018	AJC	-2	14	AJC
GA	PEACH COUNTY	0	0%	7	2012	AJC	7	2018	AJC	0	7	AJC
GA	PICKENS COUNTY	0	0%	12	2012	AJC	12	2018	AJC	0	12	AJC
GA	PIERCE COUNTY	0	0%	8	2012	AJC	8	2018	AJC	0	8	AJC
GA	PIKE COUNTY	0	0%	8	2012	AJC	8	2018	AJC	0	8	AJC
GA	POLK COUNTY	0	0%	7	2012	AJC	7	2018	AJC	0	7	AJC
GA	PULASKI COUNTY	-2	-67%	3	2012	AJC	1	2018	AJC	0	1	AJC
GA	PUTNAM COUNTY	-3	-38%	8	2012	AJC	5	2018	AJC	0	5	AJC
GA	QUITMAN COUNTY	0	0%	2	2012	AJC	2	2018	AJC	0	2	AJC
GA	RABUN COUNTY	0	0%	1	2012	AJC	1	2018	AJC	0	1	AJC
GA	RANDOLPH COUNTY	0	0%	9	2012	AJC	9	2018	AJC	0	9	AJC
GA	RICHMOND COUNTY	-9	-12%	78	2012	AJC	69	2018	AJC	0	69	AJC
GA	ROCKDALE COUNTY	-2	-11%	18	2012	AJC	16	2018	AJC	-2	18	AJC
GA	SCHLEY COUNTY	0	0%	1	2012	AJC	1	2018	AJC	0	1	AJC
GA	SCREVEN COUNTY	0	0%	12	2012	AJC	12	2018	AJC	0	12	AJC
GA	SEMINOLE COUNTY	0	0%	5	2012	AJC	5	2018	AJC	0	5	AJC
GA	SPALDING COUNTY	-3	-14%	21	2012	AJC	18	2018	AJC	-3	21	AJC
GA	STEPHENS COUNTY	-7	-88%	8	2012	AJC	1	2018	AJC	0	1	AJC
GA	STEWART COUNTY	0	0%	4	2012	AJC	4	2018	AJC	0	4	AJC
GA	SUMTER COUNTY	0	0%	11	2012	AJC	11	2018	AJC	0	11	AJC
GA	TALBOT COUNTY	0	0%	7	2012	AJC	7	2018	AJC	0	7	AJC
GA	TALIAFERRO COUNTY	0	0%	2	2012	AJC	2	2018	AJC	0	2	AJC
GA	TATTNALL COUNTY	-1	-11%	9	2012	AJC	8	2018	AJC	-1	9	AJC
GA	TAYLOR COUNTY	-1	-25%	4	2012	AJC	3	2018	AJC	-1	4	AJC

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GA	TELFAIR COUNTY	0	0%	6	2012	AJC	6	2018	AJC	0	6	AJC
GA	TERRELL COUNTY	0	0%	6	2012	AJC	6	2018	AJC	0	6	AJC
GA	THOMAS COUNTY	0	0%	20	2012	AJC	20	2018	AJC	0	20	AJC
GA	TIFT COUNTY	0	0%	12	2012	AJC	12	2018	AJC	0	12	AJC
GA	TOOMBS COUNTY	-9	-64%	14	2012	AJC	5	2018	AJC	0	5	AJC
GA	TOWNS COUNTY	0	0%	4	2012	AJC	4	2018	AJC	0	4	AJC
GA	TREUTLEN COUNTY	-4	-67%	6	2012	AJC	2	2018	AJC	-4	6	AJC
GA	TROUP COUNTY	-1	-6%	16	2012	AJC	15	2018	AJC	0	15	AJC
GA	TURNER COUNTY	0	0%	3	2012	AJC	3	2018	AJC	0	3	AJC
GA	TWIGGS COUNTY	0	0%	5	2012	AJC	5	2018	AJC	0	5	AJC
GA	UNION COUNTY	0	0%	11	2012	AJC	11	2018	AJC	0	11	AJC
GA	UPSON COUNTY	-5	-56%	9	2012	AJC	4	2018	AJC	-5	9	AJC
GA	WALKER COUNTY	0	0%	11	2012	AJC	11	2018	AJC	0	11	AJC
GA	WALTON COUNTY	0	0%	21	2012	AJC	21	2018	AJC	0	21	AJC
GA	WARE COUNTY	0	0%	12	2012	AJC	12	2018	AJC	0	12	AJC
GA	WARREN COUNTY	-5	-83%	6	2012	AJC	1	2018	AJC	0	1	AJC
GA	WASHINGTON COUNTY	0	0%	8	2012	AJC	8	2018	AJC	0	8	AJC
GA	WAYNE COUNTY	-3	-20%	15	2012	AJC	12	2018	AJC	-3	15	AJC
GA	WEBSTER COUNTY	0	0%	1	2012	AJC	1	2018	AJC	0	1	AJC
GA	WHEELER COUNTY	0	0%	2	2012	AJC	2	2018	AJC	0	2	AJC
GA	WHITE COUNTY	0	0%	11	2012	AJC	11	2018	AJC	0	11	AJC
GA	WHITFIELD COUNTY	0	0%	23	2012	AJC	23	2018	AJC	0	23	AJC
GA	WILCOX COUNTY	0	0%	6	2012	AJC	6	2018	AJC	0	6	AJC
GA	WILKES COUNTY	0	0%	7	2012	AJC	7	2018	AJC	0	7	AJC
GA	WILKINSON COUNTY	0	0%	9	2012	AJC	9	2018	AJC	0	9	AJC
GA	WORTH COUNTY	0	0%	15	2012	AJC	15	2018	AJC	0	15	AJC
LA	ACADIA PARISH	0	0%	40	2012	EAVS	40	2018	Handcount	0	40	EAVS
LA	ALLEN PARISH	-1	-5%	22	2012	EAVS	21	2018	Handcount	-1	22	EAVS
LA	ASCENSION PARISH	3	9%	34	2012	EAVS	37	2018	Handcount	0	37	EAVS
LA	ASSUMPTION PARISH	-2	-12%	17	2012	EAVS	15	2018	Handcount	-1	16	EAVS

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LA	AVOUELLES PARISH	-1	-4%	28	2012	EAVS	27	2018	Handcount	0	27	EAVS
LA	BEAUREGARD PARISH	0	0%	28	2012	EAVS	28	2018	Handcount	0	28	EAVS
LA	BIENVILLE PARISH	-3	-14%	21	2012	EAVS	18	2018	Handcount	0	18	EAVS
LA	BOSSIER PARISH	-2	-4%	50	2012	EAVS	48	2018	Handcount	-1	49	EAVS
LA	CADDO PARISH	-6	-7%	88	2012	EAVS	82	2018	Handcount	-4	86	EAVS
LA	CALCASIEU PARISH	-4	-5%	78	2012	EAVS	74	2018	Handcount	-3	77	EAVS
LA	CALDWELL PARISH	0	0%	12	2012	EAVS	12	2018	Handcount	0	12	EAVS
LA	CAMERON PARISH	1	13%	8	2012	EAVS	9	2018	Handcount	1	8	EAVS
LA	CATAHOULA PARISH	-1	-6%	16	2012	EAVS	15	2018	Handcount	-1	16	EAVS
LA	CLAIBORNE PARISH	0	0%	8	2012	EAVS	8	2018	Handcount	0	8	EAVS
LA	CONCORDIA PARISH	-1	-6%	18	2012	EAVS	17	2018	Handcount	-1	18	EAVS
LA	DE SOTO PARISH	-2	-7%	27	2012	EAVS	25	2018	Handcount	1	24	EAVS
LA	EAST BATON ROUGE PARISH	-10	-7%	147	2012	EAVS	137	2018	Handcount	-8	145	EAVS
LA	EAST CARROLL PARISH	-1	-7%	14	2012	EAVS	13	2018	Handcount	-1	14	EAVS
LA	EAST FELICIANA PARISH	0	0%	12	2012	EAVS	12	2018	Handcount	0	12	EAVS
LA	EVANGELINE PARISH	-3	-9%	33	2012	EAVS	30	2018	Handcount	-1	31	EAVS
LA	FRANKLIN PARISH	0	0%	18	2012	EAVS	18	2018	Handcount	0	18	EAVS
LA	GRANT PARISH	-1	-7%	15	2012	EAVS	14	2018	Handcount	-1	15	EAVS
LA	IBERIA PARISH	0	0%	41	2012	EAVS	41	2018	Handcount	0	41	EAVS
LA	IBERVILLE PARISH	-2	-8%	25	2012	EAVS	23	2018	Handcount	-1	24	EAVS
LA	JACKSON PARISH	0	0%	14	2012	EAVS	14	2018	Handcount	0	14	EAVS
LA	JEFFERSON DAVIS PARISH	-1	-7%	15	2012	EAVS	14	2018	Handcount	0	14	EAVS
LA	JEFFERSON PARISH	-25	-15%	170	2012	EAVS	145	2018	Handcount	-24	169	EAVS
LA	LAFAYETTE PARISH	-10	-17%	58	2012	EAVS	48	2018	Handcount	1	47	EAVS
LA	LAFOURCHE PARISH	-1	-2%	48	2012	EAVS	47	2018	Handcount	0	47	EAVS
LA	LASALLE PARISH	-1	-4%	23	2012	EAVS	22	2018	Handcount	0	22	EAVS
LA	LINCOLN PARISH	-2	-8%	26	2012	EAVS	24	2018	Handcount	-1	25	EAVS
LA	LIVINGSTON PARISH	-1	-3%	37	2012	EAVS	36	2018	Handcount	-2	38	EAVS
LA	MADISON PARISH	0	0%	16	2012	EAVS	16	2018	Handcount	0	16	EAVS
LA	MOREHOUSE PARISH	-3	-14%	21	2012	EAVS	18	2018	Handcount	-1	19	EAVS

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LA	NATCHITOCHE PARISH	-1	-2%	42	2012	EAVS	41	2018	Handcount	-1	42	EAVS
LA	ORLEANS PARISH	-5	-4%	129	2012	EAVS	124	2018	Handcount	0	124	EAVS
LA	OUACHITA PARISH	-1	-2%	50	2012	EAVS	49	2018	Handcount	-1	50	EAVS
LA	PLAQUEMINES PARISH	-1	-10%	10	2012	EAVS	9	2018	Handcount	-1	10	EAVS
LA	POINTE COUPEE PARISH	-2	-10%	21	2012	EAVS	19	2018	Handcount	0	19	EAVS
LA	RAPIDES PARISH	-1	-1%	69	2012	EAVS	68	2018	Handcount	-1	69	EAVS
LA	RED RIVER PARISH	-1	-8%	13	2012	EAVS	12	2018	Handcount	-1	13	EAVS
LA	RICHLAND PARISH	-1	-6%	17	2012	EAVS	16	2018	Handcount	0	16	EAVS
LA	SABINE PARISH	-2	-7%	30	2012	EAVS	28	2018	Handcount	-1	29	EAVS
LA	ST. BERNARD PARISH	0	0%	10	2012	EAVS	10	2018	Handcount	0	10	EAVS
LA	ST. CHARLES PARISH	-3	-12%	26	2012	EAVS	23	2018	Handcount	-1	24	EAVS
LA	ST. HELENA PARISH	0	0%	9	2012	EAVS	9	2018	Handcount	0	9	EAVS
LA	ST. JAMES PARISH	-1	-8%	13	2012	EAVS	12	2018	Handcount	-1	13	EAVS
LA	ST. JOHN THE BAPTIST PA	0	0%	15	2012	EAVS	15	2018	Handcount	-1	16	EAVS
LA	ST. LANDRY PARISH	-3	-5%	59	2012	EAVS	56	2018	Handcount	-1	57	EAVS
LA	ST. MARTIN PARISH	-3	-10%	31	2012	EAVS	28	2018	Handcount	-3	31	EAVS
LA	ST. MARY PARISH	0	0%	45	2012	EAVS	45	2018	Handcount	0	45	EAVS
LA	ST. TAMMANY PARISH	3	5%	61	2012	EAVS	64	2018	Handcount	-1	65	EAVS
LA	TANGIPAHOA PARISH	0	0%	38	2012	EAVS	38	2018	Handcount	-1	39	EAVS
LA	TENSAS PARISH	-1	-11%	9	2012	EAVS	8	2018	Handcount	-1	9	EAVS
LA	TERREBONNE PARISH	-7	-12%	57	2012	EAVS	50	2018	Handcount	-3	53	EAVS
LA	UNION PARISH	-1	-5%	22	2012	EAVS	21	2018	Handcount	-1	22	EAVS
LA	VERMILION PARISH	-2	-7%	30	2012	EAVS	28	2018	Handcount	-2	30	EAVS
LA	VERNON PARISH	0	0%	30	2012	EAVS	30	2018	Handcount	0	30	EAVS
LA	WASHINGTON PARISH	0	0%	27	2012	EAVS	27	2018	Handcount	0	27	EAVS
LA	WEBSTER PARISH	0	0%	17	2012	EAVS	17	2018	Handcount	0	17	EAVS
LA	WEST BATON ROUGE PARISH	-1	-6%	16	2012	EAVS	15	2018	Handcount	-1	16	EAVS
LA	WEST CARROLL PARISH	0	0%	9	2012	EAVS	9	2018	Handcount	0	9	EAVS
LA	WEST FELICIANA PARISH	0	0%	12	2012	EAVS	12	2018	Handcount	0	12	EAVS
LA	WINN PARISH	-5	-24%	21	2012	EAVS	16	2018	Handcount	-1	17	EAVS

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MS	ADAMS COUNTY	-1	-5%	20	2012	Handcount	19	2018	Handcount	0	19	Handcount
MS	ALCORN COUNTY	0	0%	17	2014	Handcount	17	2018	Handcount	0	17	Handcount
MS	AMITE COUNTY	0	0%	21	2012	Handcount	21	2018	Handcount	0	21	EAVS
MS	ATTALA COUNTY	0	0%	20	2012	Handcount	20	2018	Handcount	1	19	Handcount
MS	BENTON COUNTY	0	0%	5	2014	Handcount	5	2018	Handcount	0	5	Handcount
MS	BOLIVAR COUNTY	-1	-3%	29	2012	Handcount	28	2018	Handcount	0	28	Handcount
MS	CALHOUN COUNTY	0	0%	10	2012	Handcount	10	2018	Handcount	0	10	Handcount
MS	CARROLL COUNTY	0	0%	13	2012	Handcount	13	2018	Handcount	-1	14	EAVS
MS	CHICKASAW COUNTY	2	15%	13	2012	Handcount	15	2018	Handcount	0	15	Handcount
MS	CHOCTAW COUNTY	2	15%	13	2012	EAVS	15	2018	Handcount	2	13	EAVS
MS	CLAIBORNE COUNTY	1	11%	9	2012	Handcount	10	2018	Handcount	1	9	Handcount
MS	CLARKE COUNTY	0	0%	23	2012	EAVS	23	2018	Handcount	0	23	EAVS
MS	CLAY COUNTY	0	0%	14	2012	EAVS	14	2018	Handcount	0	14	EAVS
MS	COAHOMA COUNTY	-1	-5%	19	2014	Handcount	18	2018	Handcount	-1	19	Handcount
MS	COPIAH COUNTY	0	0%	19	2012	Handcount	19	2018	Handcount	-1	20	EAVS
MS	COVINGTON COUNTY	-2	-11%	18	2012	EAVS	16	2018	Handcount	-2	18	EAVS
MS	DESOTO COUNTY	3	8%	38	2012	Handcount	41	2018	Handcount	2	39	EAVS
MS	FORREST COUNTY	-1	-3%	35	2014	Handcount	34	2018	Handcount	-1	35	Handcount
MS	FRANKLIN COUNTY	0	0%	14	2012	EAVS	14	2018	Handcount	0	14	EAVS
MS	GEORGE COUNTY	0	0%	22	2012	EAVS	22	2018	Handcount	0	22	EAVS
MS	GREENE COUNTY	0	0%	13	2012	Handcount	13	2018	Handcount	-1	14	EAVS
MS	GRENADA COUNTY	0	0%	12	2014	Handcount	12	2018	Handcount	0	12	Handcount
MS	HANCOCK COUNTY	0	0%	25	2014	Handcount	25	2018	Handcount	0	25	Handcount
MS	HARRISON COUNTY	-13	-20%	66	2012	EAVS	53	2018	Handcount	N/A	N/A	N/A
MS	HINDS COUNTY	-8	-7%	118	2012	Handcount	110	2018	Handcount	N/A	N/A	N/A
MS	HOLMES COUNTY	0	0%	17	2012	Handcount	17	2018	Handcount	0	17	Handcount
MS	HUMPHREYS COUNTY	0	0%	13	2012	Handcount	13	2018	Handcount	0	13	Handcount
MS	ISSAQUENA COUNTY	0	0%	5	2012	EAVS	5	2018	Handcount	0	5	EAVS
MS	ITAWAMBA COUNTY	-3	-11%	27	2012	EAVS	24	2018	Handcount	0	24	EAVS
MS	JACKSON COUNTY	1	3%	31	2012	EAVS	32	2018	Handcount	1	31	EAVS

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MS	JASPER COUNTY	-1	-6%	18	2012	Handcount	17	2018	Handcount	1	16	EAVS
MS	JEFFERSON COUNTY	-3	-20%	15	2012	Handcount	12	2018	Handcount	-2	14	Handcount
MS	JEFFERSON DAVIS COUNTY	-4	-19%	21	2014	Handcount	17	2018	Handcount	-4	21	Handcount
MS	JONES COUNTY	0	0%	37	2014	Handcount	37	2018	Handcount	0	37	Handcount
MS	KEMPER COUNTY	0	0%	14	2012	Handcount	14	2018	Handcount	1	13	Handcount
MS	LAFAYETTE COUNTY	0	0%	18	2012	Handcount	18	2018	Handcount	0	18	EAVS
MS	LAMAR COUNTY	2	10%	21	2014	Handcount	23	2018	Handcount	2	21	Handcount
MS	LAUDERDALE COUNTY	-9	-18%	49	2012	EAVS	40	2018	Handcount	-3	43	EAVS
MS	LAWRENCE COUNTY	-2	-8%	26	2014	Handcount	24	2018	Handcount	-2	26	Handcount
MS	LEAKE COUNTY	0	0%	19	2012	Handcount	19	2018	Handcount	0	19	Handcount
MS	LEE COUNTY	-2	-5%	38	2014	Handcount	36	2018	Handcount	-2	38	Handcount
MS	LEFLORE COUNTY	-1	-5%	19	2012	Handcount	18	2018	Handcount	-1	19	Handcount
MS	LINCOLN COUNTY	-2	-6%	32	2012	Handcount	30	2018	Handcount	N/A	N/A	N/A
MS	LOWNDES COUNTY	-1	-5%	22	2012	Handcount	21	2018	Handcount	-1	22	EAVS
MS	MADISON COUNTY	-1	-2%	43	2014	Handcount	42	2018	Handcount	-1	43	Handcount
MS	MARION COUNTY	-2	-8%	24	2012	EAVS	22	2018	Handcount	-1	23	EAVS
MS	MARSHALL COUNTY	0	0%	24	2012	Handcount	24	2018	Handcount	0	24	Handcount
MS	MONROE COUNTY	0	0%	26	2012	EAVS	26	2018	Handcount	0	26	EAVS
MS	MONTGOMERY COUNTY	-1	-6%	16	2012	Handcount	15	2018	Handcount	0	15	EAVS
MS	NESHOBA COUNTY	0	0%	27	2012	Handcount	27	2018	Handcount	0	27	Handcount
MS	NEWTON COUNTY	-3	-16%	19	2012	Handcount	16	2018	Handcount	N/A	N/A	N/A
MS	NOXUBEE COUNTY	-2	-20%	10	2012	Handcount	8	2018	Handcount	-2	10	Handcount
MS	OKTIBBEHA COUNTY	0	0%	20	2012	Handcount	20	2018	Handcount	-1	21	EAVS
MS	PANOLA COUNTY	-2	-8%	24	2012	Handcount	22	2018	Handcount	-2	24	Handcount
MS	PEARL RIVER COUNTY	-13	-39%	33	2012	Handcount	20	2018	Handcount	-13	33	Handcount
MS	PERRY COUNTY	0	0%	15	2012	Handcount	15	2018	Handcount	-1	16	EAVS
MS	PIKE COUNTY	0	0%	25	2014	Handcount	25	2018	Handcount	0	25	Handcount
MS	PONTOTOC COUNTY	-1	-3%	29	2012	Handcount	28	2018	Handcount	0	28	EAVS
MS	PRENTISS COUNTY	0	0%	15	2012	EAVS	15	2018	Handcount	0	15	EAVS
MS	QUITMAN COUNTY	1	11%	9	2012	EAVS	10	2018	Handcount	0	10	EAVS

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MS	RANKIN COUNTY	-4	-8%	53	2012	EAVS	49	2018	Handcount	-1	50	EAVS
MS	SCOTT COUNTY	-2	-8%	25	2014	Handcount	23	2018	Handcount	-2	25	Handcount
MS	SHARKEY COUNTY	0	0%	10	2012	EAVS	10	2018	Handcount	N/A	N/A	N/A
MS	SIMPSON COUNTY	0	0%	23	2014	Handcount	23	2018	Handcount	0	23	Handcount
MS	SMITH COUNTY	0	0%	18	2012	EAVS	18	2018	Handcount	N/A	N/A	N/A
MS	STONE COUNTY	0	0%	15	2012	EAVS	15	2018	Handcount	0	15	EAVS
MS	SUNFLOWER COUNTY	0	0%	17	2014	Handcount	17	2018	Handcount	0	17	Handcount
MS	TALLAHATCHIE COUNTY	0	0%	21	2012	Handcount	21	2018	Handcount	0	21	Handcount
MS	TATE COUNTY	1	5%	19	2012	Handcount	20	2018	Handcount	0	20	EAVS
MS	TIPPAH COUNTY	0	0%	24	2012	EAVS	24	2018	Handcount	0	24	EAVS
MS	TISHOMINGO COUNTY	-5	-26%	19	2012	Handcount	14	2018	Handcount	0	14	EAVS
MS	TUNICA COUNTY	0	0%	12	2014	Handcount	12	2018	Handcount	0	12	Handcount
MS	UNION COUNTY	0	0%	20	2014	Handcount	20	2018	Handcount	0	20	Handcount
MS	WALTHALL COUNTY	-1	-5%	21	2012	Handcount	20	2018	Handcount	-1	21	Handcount
MS	WARREN COUNTY	1	5%	22	2012	Handcount	23	2018	Handcount	1	22	Handcount
MS	WASHINGTON COUNTY	0	0%	19	2012	Handcount	19	2018	Handcount	0	19	Handcount
MS	WAYNE COUNTY	0	0%	22	2014	EAVS	22	2018	Handcount	0	22	EAVS
MS	WEBSTER COUNTY	0	0%	17	2012	Handcount	17	2018	Handcount	0	17	EAVS
MS	WILKINSON COUNTY	0	0%	9	2014	Handcount	9	2018	Handcount	0	9	Handcount
MS	WINSTON COUNTY	0	0%	12	2012	EAVS	12	2018	Handcount	0	12	EAVS
MS	YALOBUSHA COUNTY	-2	-15%	13	2012	EAVS	11	2018	Handcount	N/A	N/A	N/A
MS	YAZOO COUNTY	-2	-8%	25	2012	Handcount	23	2018	Handcount	-2	25	Handcount
NC	ANSON COUNTY	0	0%	11	2012	Handcount	11	2018	Handcount	0	11	Handcount
NC	BEAUFORT COUNTY	0	0%	20	2012	Handcount	20	2018	Handcount	0	20	Handcount
NC	BERTIE COUNTY	0	0%	11	2012	Handcount	11	2018	Handcount	0	11	Handcount
NC	BLADEN COUNTY	0	0%	17	2012	Handcount	17	2018	Handcount	0	17	Handcount
NC	CAMDEN COUNTY	0	0%	3	2012	Handcount	3	2018	Handcount	0	3	Handcount
NC	CASWELL COUNTY	-1	-10%	10	2012	Handcount	9	2018	Handcount	-1	10	Handcount
NC	CHOWAN COUNTY	0	0%	6	2012	Handcount	6	2018	Handcount	0	6	Handcount
NC	CLEVELAND COUNTY	-5	-19%	26	2012	Handcount	21	2018	Handcount	0	21	Handcount

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NC	CRAVEN COUNTY	-3	-11%	27	2012	Handcount	24	2018	Handcount	-2	26	Handcount
NC	CUMBERLAND COUNTY	0	0%	77	2012	Handcount	77	2018	Handcount	0	77	Handcount
NC	EDGEcombe COUNTY	0	0%	21	2012	Handcount	21	2018	Handcount	0	21	Handcount
NC	FRANKLIN COUNTY	0	0%	18	2012	Handcount	18	2018	Handcount	0	18	Handcount
NC	GASTON COUNTY	0	0%	46	2012	Handcount	46	2018	Handcount	0	46	Handcount
NC	GATES COUNTY	0	0%	6	2012	Handcount	6	2018	Handcount	0	6	Handcount
NC	GRANVILLE COUNTY	0	0%	15	2012	Handcount	15	2018	Handcount	0	15	Handcount
NC	GREENE COUNTY	0	0%	10	2012	Handcount	10	2018	Handcount	0	10	Handcount
NC	GUILFORD COUNTY	0	0%	165	2012	Handcount	165	2018	Handcount	0	165	Handcount
NC	HALIFAX COUNTY	-4	-16%	25	2012	Handcount	21	2018	Handcount	-4	25	Handcount
NC	HARNETT COUNTY	1	8%	12	2012	Handcount	13	2018	Handcount	0	13	Handcount
NC	HERTFORD COUNTY	0	0%	13	2012	Handcount	13	2018	Handcount	0	13	Handcount
NC	HOKE COUNTY	1	7%	14	2012	Handcount	15	2018	Handcount	0	15	Handcount
NC	JACKSON COUNTY	-1	-7%	15	2012	Handcount	14	2018	Handcount	0	14	Handcount
NC	LEE COUNTY	0	0%	10	2012	Handcount	10	2018	Handcount	0	10	Handcount
NC	LENOIR COUNTY	0	0%	22	2012	Handcount	22	2018	Handcount	0	22	Handcount
NC	MARTIN COUNTY	-1	-8%	12	2012	Handcount	11	2018	Handcount	0	11	Handcount
NC	NASH COUNTY	-3	-11%	27	2012	Handcount	24	2018	Handcount	-3	27	Handcount
NC	NORTHAMPTON COUNTY	0	0%	18	2012	Handcount	18	2018	Handcount	0	18	Handcount
NC	ONslow COUNTY	0	0%	24	2012	Handcount	24	2018	Handcount	0	24	Handcount
NC	PASQUOTANK COUNTY	-4	-31%	13	2012	Handcount	9	2018	Handcount	-4	13	Handcount
NC	PERQUIMANS COUNTY	0	0%	7	2012	Handcount	7	2018	Handcount	0	7	Handcount
NC	PERSON COUNTY	-3	-21%	14	2012	Handcount	11	2018	Handcount	-3	14	Handcount
NC	PITT COUNTY	0	0%	40	2012	Handcount	40	2018	Handcount	0	40	Handcount
NC	ROBESON COUNTY	-4	-10%	42	2012	Handcount	38	2018	Handcount	-1	39	Handcount
NC	ROCKINGHAM COUNTY	0	0%	15	2012	Handcount	15	2018	Handcount	0	15	Handcount
NC	SCOTLAND COUNTY	0	0%	10	2012	Handcount	10	2018	Handcount	0	10	Handcount
NC	UNION COUNTY	0	0%	52	2012	Handcount	52	2018	Handcount	0	52	Handcount
NC	VANCE COUNTY	0	0%	12	2012	Handcount	12	2018	Handcount	0	12	Handcount
NC	WASHINGTON COUNTY	0	0%	6	2012	Handcount	6	2018	Handcount	0	6	Handcount

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NC	WAYNE COUNTY	0	0%	29	2012	Handcount	29	2018	Handcount	0	29	Handcount
NC	WILSON COUNTY	0	0%	24	2012	Handcount	24	2018	Handcount	0	24	Handcount
NY	BRONX COUNTY	-8	-4%	198	2016	EAVS	190	2018	EAVS	N/A	N/A	N/A
NY	KINGS COUNTY	-6	-1%	404	2016	EAVS	398	2018	EAVS	N/A	N/A	N/A
NY	NEW YORK COUNTY	12	5%	265	2016	EAVS	277	2018	EAVS	N/A	N/A	N/A
SC	ABBEVILLE COUNTY	0	0%	14	2012	Handcount	14	2018	Handcount	0	14	Handcount
SC	AIKEN COUNTY	4	6%	69	2012	Handcount	73	2018	Handcount	4	69	Handcount
SC	ALLENDALE COUNTY	0	0%	8	2012	Handcount	8	2018	Handcount	0	8	Handcount
SC	ANDERSON COUNTY	3	4%	75	2012	Handcount	78	2018	Handcount	0	78	Handcount
SC	BAMBERG COUNTY	0	0%	12	2012	Handcount	12	2018	Handcount	0	12	Handcount
SC	BARNWELL COUNTY	-1	-10%	10	2012	Handcount	9	2018	Handcount	-1	10	Handcount
SC	BEAUFORT COUNTY	-1	-2%	58	2012	Handcount	57	2018	Handcount	0	57	Handcount
SC	BERKELEY COUNTY	7	15%	48	2012	Handcount	55	2018	Handcount	8	47	Handcount
SC	CALHOUN COUNTY	0	0%	12	2012	Handcount	12	2018	Handcount	0	12	Handcount
SC	CHARLESTON COUNTY	-10	-10%	105	2012	Handcount	95	2018	Handcount	-8	103	Handcount
SC	CHEROKEE COUNTY	0	0%	29	2012	Handcount	29	2018	Handcount	0	29	Handcount
SC	CHESTER COUNTY	1	5%	20	2012	Handcount	21	2018	Handcount	0	21	Handcount
SC	CHESTERFIELD COUNTY	0	0%	25	2012	Handcount	25	2018	Handcount	0	25	Handcount
SC	CLARENDON COUNTY	0	0%	25	2012	Handcount	25	2018	Handcount	0	25	Handcount
SC	COLLETON COUNTY	1	3%	31	2012	Handcount	32	2018	Handcount	0	32	Handcount
SC	DARLINGTON COUNTY	0	0%	32	2012	Handcount	32	2018	Handcount	0	32	Handcount
SC	DILLON COUNTY	0	0%	20	2012	Handcount	20	2018	Handcount	0	20	Handcount
SC	DORCHESTER COUNTY	-3	-8%	40	2012	Handcount	37	2018	Handcount	-3	40	Handcount
SC	EDGEFIELD COUNTY	1	10%	10	2012	Handcount	11	2018	Handcount	0	11	Handcount
SC	FAIRFIELD COUNTY	0	0%	20	2012	Handcount	20	2018	Handcount	0	20	Handcount
SC	FLORENCE COUNTY	-2	-3%	61	2012	Handcount	59	2018	Handcount	-1	60	Handcount
SC	GEORGETOWN COUNTY	1	3%	31	2012	Handcount	32	2018	Handcount	0	32	Handcount
SC	GREENVILLE COUNTY	0	0%	150	2012	Handcount	150	2018	Handcount	0	150	Handcount
SC	GREENWOOD COUNTY	5	11%	45	2012	Handcount	50	2018	Handcount	1	49	Handcount
SC	HAMPTON COUNTY	0	0%	15	2012	Handcount	15	2018	Handcount	0	15	Handcount

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SC	HORRY COUNTY	5	4%	117	2012	Handcount	122	2018	Handcount	4	118	Handcount
SC	JASPER COUNTY	1	8%	13	2012	Handcount	14	2018	Handcount	0	14	Handcount
SC	KERSHAW COUNTY	-1	-3%	34	2012	Handcount	33	2018	Handcount	1	32	Handcount
SC	LANCASTER COUNTY	7	24%	29	2012	Handcount	36	2018	Handcount	7	29	Handcount
SC	LAURENS COUNTY	0	0%	34	2012	Handcount	34	2018	Handcount	0	34	Handcount
SC	LEE COUNTY	0	0%	22	2012	Handcount	22	2018	Handcount	0	22	Handcount
SC	LEXINGTON COUNTY	3	3%	91	2012	Handcount	94	2018	Handcount	-1	95	Handcount
SC	MARION COUNTY	0	0%	17	2012	Handcount	17	2018	Handcount	0	17	Handcount
SC	MARLBORO COUNTY	0	0%	15	2012	Handcount	15	2018	Handcount	0	15	Handcount
SC	MCCORMICK COUNTY	1	10%	10	2012	Handcount	11	2018	Handcount	0	11	Handcount
SC	NEWBERRY COUNTY	0	0%	29	2012	Handcount	29	2018	Handcount	0	29	Handcount
SC	OCONEE COUNTY	0	0%	26	2012	Handcount	26	2018	Handcount	0	26	Handcount
SC	ORANGEBURG COUNTY	0	0%	45	2012	Handcount	45	2018	Handcount	0	45	Handcount
SC	PICKENS COUNTY	0	0%	55	2012	Handcount	55	2018	Handcount	0	55	Handcount
SC	RICHLAND COUNTY	20	16%	122	2012	Handcount	142	2018	Handcount	0	142	Handcount
SC	SALUDA COUNTY	0	0%	18	2012	Handcount	18	2018	Handcount	0	18	Handcount
SC	SPARTANBURG COUNTY	0	0%	97	2012	Handcount	97	2018	Handcount	1	96	Handcount
SC	SUMTER COUNTY	0	0%	46	2012	Handcount	46	2018	Handcount	0	46	Handcount
SC	UNION COUNTY	0	0%	23	2012	Handcount	23	2018	Handcount	0	23	Handcount
SC	WILLIAMSBURG COUNTY	0	0%	28	2012	Handcount	28	2018	Handcount	0	28	Handcount
SC	YORK COUNTY	3	3%	86	2012	Handcount	89	2018	Handcount	0	89	Handcount
SD	SHANNON/OGLALA LAKOTA COUNTY	-1	-11%	9	2012	EAVS	8	2018	Handcount	-1	9	EAVS
SD	TODD COUNTY	0	0%	8	2012	EAVS	8	2018	Handcount	-1	9	EAVS
TX	ANDERSON COUNTY	0	0%	22	2012	EAVS	22	2018	Handcount	0	22	EAVS
TX	ANDREWS COUNTY	0	0%	1	2012	EAVS	1	2018	EAVS	-1	2	EAVS
TX	ANGELINA COUNTY	-4	-13%	31	2012	EAVS	27	2018	Handcount	-3	30	EAVS
TX	ARANSAS COUNTY	-3	-50%	6	2012	EAVS	3	2018	Handcount	-3	6	EAVS
TX	ARCHER COUNTY	-3	-27%	11	2012	EAVS	8	2018	Handcount	-3	11	EAVS
TX	ARMSTRONG COUNTY	-3	-50%	6	2012	EAVS	3	2018	Handcount	-3	6	EAVS
TX	ATASCOSA COUNTY	0	0%	23	2012	EAVS	23	2018	Handcount	0	23	EAVS

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TX	AUSTIN COUNTY	-2	-11%	18	2012	EAVS	16	2018	Handcount	N/A	N/A	N/A
TX	BAILEY COUNTY	0	0%	1	2012	EAVS	1	2018	EAVS	-1	2	EAVS
TX	BANDERA COUNTY	0	0%	10	2012	EAVS	10	2018	Handcount	0	10	EAVS
TX	BASTROP COUNTY	1	5%	20	2012	EAVS	21	2016	Handcount	1	20	EAVS
TX	BAYLOR COUNTY	0	0%	4	2012	EAVS	4	2018	EAVS	N/A	N/A	N/A
TX	BEE COUNTY	-7	-41%	17	2014	EAVS	10	2018	Handcount	-7	17	EAVS
TX	BELL COUNTY	-1	-2%	47	2012	EAVS	46	2018	Handcount	0	46	EAVS
TX	BEXAR COUNTY	0	0%	302	2012	EAVS	302	2018	Handcount	-4	306	EAVS
TX	BLANCO COUNTY	0	0%	6	2012	EAVS	6	2016	Handcount	2	4	EAVS
TX	BORDEN COUNTY	-1	-14%	7	2012	EAVS	6	2018	Handcount	-2	8	EAVS
TX	BOSQUE COUNTY	-5	-36%	14	2012	EAVS	9	2018	Handcount	-2	11	EAVS
TX	BOWIE COUNTY	-3	-9%	35	2012	EAVS	32	2018	Handcount	-3	35	EAVS
TX	BRAZORIA COUNTY	-37	-59%	63	2012	EAVS	26	2018	Handcount	-38	64	EAVS
TX	BRAZOS COUNTY	-11	-31%	36	2012	EAVS	25	2018	Handcount	-11	36	EAVS
TX	BREWSTER COUNTY	-1	-13%	8	2012	EAVS	7	2018	Handcount	-2	9	EAVS
TX	BRISCOE COUNTY	0	0%	5	2012	EAVS	5	2018	Handcount	0	5	EAVS
TX	BROOKS COUNTY	-3	-33%	9	2014	EAVS	6	2018	Handcount	-3	9	EAVS
TX	BROWN COUNTY	-1	-6%	16	2012	EAVS	15	2018	Handcount	-1	16	EAVS
TX	BURLESON COUNTY	-1	-7%	14	2012	EAVS	13	2018	Handcount	-1	14	EAVS
TX	BURNET COUNTY	0	0%	20	2012	EAVS	20	2018	Handcount	0	20	EAVS
TX	CALDWELL COUNTY	-13	-52%	25	2012	EAVS	12	2018	Handcount	-5	17	EAVS
TX	CALHOUN COUNTY	-7	-30%	23	2012	EAVS	16	2018	Handcount	-8	24	EAVS
TX	CALLAHAN COUNTY	-3	-43%	7	2012	EAVS	4	2018	Handcount	-2	6	EAVS
TX	CAMERON COUNTY	-7	-8%	83	2012	EAVS	76	2018	Handcount	-1	77	EAVS
TX	CAMP COUNTY	0	0%	4	2012	EAVS	4	2018	Handcount	0	4	EAVS
TX	CARSON COUNTY	0	0%	8	2014	EAVS	8	2016	Handcount	0	8	EAVS
TX	CASS COUNTY	0	0%	18	2012	EAVS	18	2018	Handcount	0	18	EAVS
TX	CASTRO COUNTY	0	0%	8	2012	EAVS	8	2018	EAVS	0	8	N/A
TX	CHAMBERS COUNTY	0	0%	14	2012	EAVS	14	2018	Handcount	1	13	EAVS
TX	CHEROKEE COUNTY	-2	-8%	25	2012	EAVS	23	2018	Handcount	-1	24	EAVS

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TX	CHILDRESS COUNTY	-1	-25%	4	2012	EAVS	3	2018	EAVS	-1	4	EAVS
TX	CLAY COUNTY	0	0%	16	2012	EAVS	16	2016	Handcount	0	16	EAVS
TX	COCHRAN COUNTY	-2	-40%	5	2012	EAVS	3	2018	Handcount	-3	6	EAVS
TX	COKE COUNTY	-2	-50%	4	2012	EAVS	2	2018	Handcount	-2	4	EAVS
TX	COLEMAN COUNTY	-1	-20%	5	2012	EAVS	4	2018	Handcount	0	4	EAVS
TX	COLLIN COUNTY	2	3%	67	2012	EAVS	69	2018	Handcount	2	67	EAVS
TX	COLLINGSWORTH COUNTY	1	14%	7	2012	EAVS	8	2016	EAVS	0	8	EAVS
TX	COLORADO COUNTY	-1	-8%	12	2012	EAVS	11	2018	Handcount	-2	13	EAVS
TX	COMAL COUNTY	2	9%	22	2012	EAVS	24	2018	Handcount	1	23	EAVS
TX	COMANCHE COUNTY	-3	-21%	14	2012	EAVS	11	2018	Handcount	-2	13	EAVS
TX	CONCHO COUNTY	0	0%	8	2012	EAVS	8	2018	Handcount	0	8	EAVS
TX	COOKE COUNTY	0	0%	16	2012	EAVS	16	2018	Handcount	16	0	EAVS
TX	CORYELL COUNTY	-7	-47%	15	2012	EAVS	8	2018	Handcount	-2	10	EAVS
TX	COTTLE COUNTY	2	100%	2	2014	EAVS	4	2018	EAVS	2	2	EAVS
TX	CRANE COUNTY	0	0%	4	2012	EAVS	4	2018	Handcount	0	4	EAVS
TX	CROCKETT COUNTY	0	0%	4	2012	EAVS	4	2018	Handcount	0	4	EAVS
TX	CULBERSON COUNTY	0	0%	5	2012	EAVS	5	2018	Handcount	-1	6	EAVS
TX	DALLAM COUNTY	0	0%	2	2014	EAVS	2	2018	Handcount	0	2	EAVS
TX	DALLAS COUNTY	-74	-15%	485	2012	EAVS	411	2018	Handcount	-78	489	EAVS
TX	DAWSON COUNTY	0	0%	9	2012	EAVS	9	2018	Handcount	0	9	EAVS
TX	DEAF SMITH COUNTY	2	50%	4	2012	EAVS	6	2018	Handcount	2	4	EAVS
TX	DENTON COUNTY	-3	-3%	97	2012	EAVS	94	2018	EAVS	-9	103	EAVS
TX	DEWITT COUNTY	-1	-13%	8	2012	EAVS	7	2018	Handcount	-2	9	EAVS
TX	DICKENS COUNTY	0	0%	6	2012	EAVS	6	2018	Handcount	N/A	N/A	N/A
TX	DIMMIT COUNTY	0	0%	7	2012	EAVS	7	2018	EAVS	N/A	N/A	EAVS
TX	DONLEY COUNTY	0	0%	6	2012	EAVS	6	2018	Handcount	-1	7	EAVS
TX	DUVAL COUNTY	0	0%	9	2012	EAVS	9	2018	EAVS	0	9	EAVS
TX	EASTLAND COUNTY	0	0%	9	2012	EAVS	9	2018	Handcount	0	9	EAVS
TX	ECTOR COUNTY	-3	-11%	28	2012	EAVS	25	2018	Handcount	-11	36	EAVS
TX	EDWARDS COUNTY	0	0%	5	2012	EAVS	5	2018	Handcount	0	5	EAVS

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TX	EL PASO COUNTY	-6	-4%	150	2014	EAVS	144	2018	Handcount	-6	150	EAVS
TX	ELLIS COUNTY	-2	-5%	39	2012	EAVS	37	2016	Handcount	-4	41	EAVS
TX	ERATH COUNTY	-1	-9%	11	2012	EAVS	10	2018	Handcount	0	10	EAVS
TX	FALLS COUNTY	0	0%	13	2012	EAVS	13	2018	Handcount	N/A	N/A	N/A
TX	FANNIN COUNTY	0	0%	16	2012	EAVS	16	2018	Handcount	-1	17	EAVS
TX	FAYETTE COUNTY	0	0%	26	2012	EAVS	26	2018	Handcount	0	26	EAVS
TX	FISHER COUNTY	-6	-60%	10	2012	EAVS	4	2018	Handcount	-6	10	EAVS
TX	FLOYD COUNTY	0	0%	2	2012	EAVS	2	2018	Handcount	0	2	EAVS
TX	FOARD COUNTY	0	0%	2	2012	EAVS	2	2018	EAVS	0	2	EAVS
TX	FORT BEND COUNTY	-18	-18%	101	2014	EAVS	83	2016	Handcount	-18	101	EAVS
TX	FRANKLIN COUNTY	0	0%	8	2012	EAVS	8	2018	Handcount	0	8	EAVS
TX	FREESTONE COUNTY	0	0%	15	2012	EAVS	15	2018	Handcount	0	15	EAVS
TX	FRIO COUNTY	-1	-10%	10	2012	EAVS	9	2018	Handcount	0	9	EAVS
TX	GAINES COUNTY	0	0%	4	2012	EAVS	4	2018	Handcount	0	4	EAVS
TX	GALVESTON COUNTY	-10	-22%	45	2012	EAVS	35	2018	Handcount	1	34	EAVS
TX	GARZA COUNTY	0	0%	6	2012	EAVS	6	2018	Handcount	-1	7	EAVS
TX	GILLESPIE COUNTY	0	0%	13	2012	EAVS	13	2018	Handcount	0	13	EAVS
TX	GLASSCOCK COUNTY	0	0%	4	2012	EAVS	4	2018	Handcount	0	4	EAVS
TX	GOLIAD COUNTY	0	0%	9	2012	EAVS	9	2018	Handcount	0	9	EAVS
TX	GONZALES COUNTY	0	0%	14	2012	EAVS	14	2018	Handcount	0	14	EAVS
TX	GRAY COUNTY	0	0%	7	2012	EAVS	7	2018	Handcount	0	7	EAVS
TX	GRAYSON COUNTY	-13	-36%	36	2012	EAVS	23	2016	Handcount	0	23	EAVS
TX	GREGG COUNTY	-3	-14%	21	2012	EAVS	18	2018	Handcount	-3	21	EAVS
TX	GRIMES COUNTY	1	7%	14	2012	EAVS	15	2018	Handcount	15	0	EAVS
TX	GUADALUPE COUNTY	-1	-3%	35	2012	EAVS	34	2018	Handcount	-1	35	EAVS
TX	HALE COUNTY	0	0%	15	2012	EAVS	15	2018	EAVS	0	15	N/A
TX	HALL COUNTY	0	0%	4	2012	EAVS	4	2018	EAVS	-1	5	EAVS
TX	HAMILTON COUNTY	-2	-18%	11	2012	EAVS	9	2018	Handcount	-2	11	EAVS
TX	HANSFORD COUNTY	-1	-13%	8	2012	EAVS	7	2018	EAVS	-1	8	EAVS
TX	HARDEMAN COUNTY	0	0%	4	2012	EAVS	4	2018	EAVS	0	4	EAVS

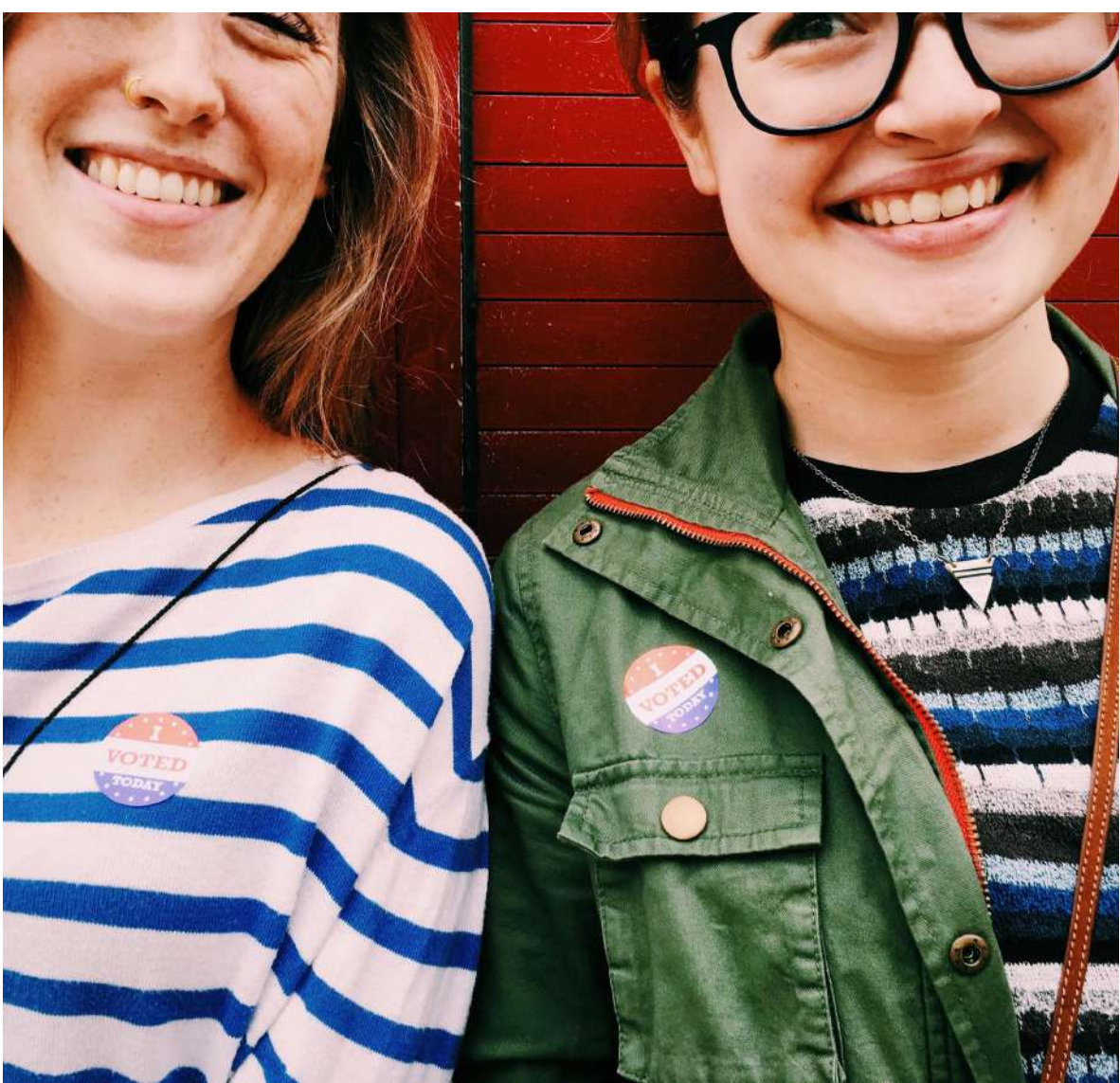
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TX	HARDIN COUNTY	0	0%	19	2012	EAVS	19	2018	Handcount	19	0	EAVS
TX	HARRIS COUNTY	-52	-7%	776	2012	EAVS	724	2018	Handcount	-46	770	EAVS
TX	HARRISON COUNTY	0	0%	26	2012	EAVS	26	2018	Handcount	0	26	EAVS
TX	HARTLEY COUNTY	0	0%	3	2012	EAVS	3	2018	Handcount	0	3	EAVS
TX	HASKELL COUNTY	0	0%	10	2014	EAVS	10	2018	Handcount	0	10	EAVS
TX	HAYS COUNTY	0	0%	37	2012	EAVS	37	2018	Handcount	1	36	EAVS
TX	HEMPHILL COUNTY	-1	-11%	9	2014	EAVS	8	2018	EAVS	-1	9	EAVS
TX	HENDERSON COUNTY	0	0%	26	2012	EAVS	26	2018	Handcount	0	26	EAVS
TX	HIDALGO COUNTY	0	0%	74	2012	EAVS	74	2018	Handcount	-1	75	EAVS
TX	HILL COUNTY	0	0%	22	2012	EAVS	22	2018	Handcount	0	22	EAVS
TX	HOCKLEY COUNTY	1	7%	14	2012	EAVS	15	2018	Handcount	1	14	EAVS
TX	HOOD COUNTY	-5	-33%	15	2014	EAVS	10	2018	Handcount	-5	15	EAVS
TX	HOPKINS COUNTY	-9	-43%	21	2012	EAVS	12	2018	Handcount	-9	21	EAVS
TX	HOUSTON COUNTY	1	5%	21	2012	EAVS	22	2018	Handcount	1	21	EAVS
TX	HOWARD COUNTY	-1	-17%	6	2012	EAVS	5	2018	Handcount	-1	6	EAVS
TX	HUDSPETH COUNTY	0	0%	5	2012	EAVS	5	2018	EAVS	0	5	EAVS
TX	HUNT COUNTY	-1	-3%	34	2012	EAVS	33	2018	Handcount	-1	34	EAVS
TX	HUTCHINSON COUNTY	0	0%	8	2012	EAVS	8	2018	Handcount	0	8	EAVS
TX	IRION COUNTY	-1	-50%	2	2012	EAVS	1	2018	Handcount	-1	2	EAVS
TX	JACK COUNTY	-2	-33%	6	2012	EAVS	4	2018	Handcount	-4	8	EAVS
TX	JACKSON COUNTY	0	0%	9	2012	EAVS	9	2018	Handcount	-1	10	EAVS
TX	JASPER COUNTY	1	5%	20	2012	EAVS	21	2016	Handcount	1	20	EAVS
TX	JEFF DAVIS COUNTY	0	0%	5	2012	EAVS	5	2018	Handcount	-1	6	EAVS
TX	JEFFERSON COUNTY	-18	-32%	57	2012	EAVS	39	2018	Handcount	-1	40	EAVS
TX	JIM HOGG COUNTY	0	0%	4	2012	EAVS	4	2016	Handcount	-1	5	EAVS
TX	JIM WELLS COUNTY	0	0%	21	2012	EAVS	21	2018	EAVS	0	21	EAVS
TX	JOHNSON COUNTY	-3	-10%	31	2012	EAVS	28	2018	Handcount	-1	29	EAVS
TX	JONES COUNTY	-1	-9%	11	2012	EAVS	10	2018	Handcount	-1	11	EAVS
TX	KARNES COUNTY	2	15%	13	2014	EAVS	15	2018	Handcount	2	13	EAVS
TX	KAUFMAN COUNTY	0	0%	30	2012	EAVS	30	2018	Handcount	0	30	EAVS

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TX	KENDALL COUNTY	-7	-39%	18	2012	EAVS	11	2018	Handcount	-5	16	EAVS
TX	KENEDY COUNTY	0	0%	6	2012	EAVS	6	2016	Handcount	0	6	EAVS
TX	KENT COUNTY	-1	-17%	6	2012	EAVS	5	2018	Handcount	-1	6	EAVS
TX	KERR COUNTY	0	0%	20	2012	EAVS	20	2016	Handcount	0	20	EAVS
TX	KIMBLE COUNTY	0	0%	4	2012	EAVS	4	2018	EAVS	0	4	EAVS
TX	KING COUNTY	0	0%	4	2012	EAVS	4	2018	EAVS	0	4	EAVS
TX	KINNEY COUNTY	0	0%	4	2014	EAVS	4	2016	Handcount	0	4	EAVS
TX	KLEBERG COUNTY	5	42%	12	2012	EAVS	17	2018	Handcount	-1	18	EAVS
TX	KNOX COUNTY	-3	-50%	6	2012	EAVS	3	2018	Handcount	-3	6	EAVS
TX	LA SALLE COUNTY	2	50%	4	2012	EAVS	6	2018	Handcount	0	6	EAVS
TX	LAMAR COUNTY	-1	-3%	33	2012	EAVS	32	2018	Handcount	0	32	EAVS
TX	LAMB COUNTY	-3	-33%	9	2012	EAVS	6	2018	Handcount	-6	12	EAVS
TX	LAMPASAS COUNTY	0	0%	5	2012	EAVS	5	2018	Handcount	0	5	EAVS
TX	LAVACA COUNTY	0	0%	19	2012	EAVS	19	2018	Handcount	0	19	EAVS
TX	LEE COUNTY	-7	-47%	15	2012	EAVS	8	2018	Handcount	-7	15	EAVS
TX	LEON COUNTY	0	0%	14	2012	EAVS	14	2018	Handcount	0	14	EAVS
TX	LIBERTY COUNTY	0	0%	30	2012	EAVS	30	2018	Handcount	0	30	EAVS
TX	LIMESTONE COUNTY	0	0%	21	2012	EAVS	21	2018	Handcount	0	21	EAVS
TX	LIPSCOMB COUNTY	0	0%	4	2014	EAVS	4	2018	EAVS	0	4	EAVS
TX	LIVE OAK COUNTY	-1	-7%	14	2012	EAVS	13	2018	Handcount	0	13	EAVS
TX	LLANO COUNTY	0	0%	9	2012	EAVS	9	2018	Handcount	0	9	EAVS
TX	LOVING COUNTY	-3	-75%	4	2012	EAVS	1	2018	Handcount	0	1	EAVS
TX	LUBBOCK COUNTY	0	0%	37	2012	EAVS	37	2018	Handcount	1	36	EAVS
TX	LYNN COUNTY	0	0%	10	2012	EAVS	10	2018	Handcount	0	10	EAVS
TX	MADISON COUNTY	1	25%	4	2012	EAVS	5	2018	Handcount	-1	6	EAVS
TX	MARION COUNTY	0	0%	10	2012	EAVS	10	2018	Handcount	0	10	EAVS
TX	MARTIN COUNTY	-1	-33%	3	2012	EAVS	2	2016	EAVS	-5	7	EAVS
TX	MASON COUNTY	0	0%	4	2012	EAVS	4	2018	EAVS	N/A	N/A	N/A
TX	MATAGORDA COUNTY	0	0%	18	2012	EAVS	18	2016	Handcount	0	18	EAVS
TX	MAVERICK COUNTY	-1	-7%	14	2012	EAVS	13	2018	Handcount	-1	14	EAVS

State	County	# Changed	% Changed	Benchmark Election Count	Benchmark Election Year	Benchmark Election Source	Post-Shelby Election Count	Post-Shelby Election Year	Post-Shelby Election Source	Midterm to Midterm	2014 Midterm Count	2014 Midterm Source
TX	MCCULLOCH COUNTY	1	14%	7	2012	EAVS	8	2018	Handcount	-1	9	EAVS
TX	MCLENNAN COUNTY	-30	-51%	59	2012	EAVS	29	2018	Handcount	-11	40	EAVS
TX	MCMULLEN COUNTY	0	0%	4	2012	EAVS	4	2018	Handcount	0	4	EAVS
TX	MEDINA COUNTY	-6	-46%	13	2012	EAVS	7	2018	Handcount	N/A	N/A	N/A
TX	MENARD COUNTY	0	0%	3	2012	EAVS	3	2018	EAVS	0	3	EAVS
TX	MIDLAND COUNTY	0	0%	20	2012	EAVS	20	2018	Handcount	0	20	EAVS
TX	MILAM COUNTY	-3	-27%	11	2012	EAVS	8	2018	Handcount	-3	11	EAVS
TX	MILLS COUNTY	0	0%	7	2012	EAVS	7	2018	Handcount	0	7	EAVS
TX	MITCHELL COUNTY	0	0%	6	2012	EAVS	6	2018	Handcount	0	6	EAVS
TX	MONTAGUE COUNTY	-6	-38%	16	2012	EAVS	10	2018	Handcount	0	10	EAVS
TX	MONTGOMERY COUNTY	8	9%	86	2012	EAVS	94	2018	Handcount	5	89	EAVS
TX	MOORE COUNTY	0	0%	7	2016	Handcount	7	2018	Handcount	N/A	N/A	N/A
TX	MORRIS COUNTY	-2	-25%	8	2012	EAVS	6	2018	Handcount	-2	8	EAVS
TX	NACOGDOCHES COUNTY	0	0%	17	2012	EAVS	17	2018	Handcount	0	17	EAVS
TX	NAVARRO COUNTY	-10	-33%	30	2012	EAVS	20	2018	Handcount	-2	22	EAVS
TX	NEWTON COUNTY	-6	-27%	22	2012	EAVS	16	2018	Handcount	-6	22	EAVS
TX	NOLAN COUNTY	0	0%	9	2012	EAVS	9	2018	Handcount	0	9	EAVS
TX	NUECES COUNTY	-37	-31%	121	2012	EAVS	84	2018	Handcount	-30	114	EAVS
TX	OCHILTREE COUNTY	0	0%	4	2012	EAVS	4	2018	Handcount	-1	5	EAVS
TX	OLDHAM COUNTY	-3	-43%	7	2012	EAVS	4	2018	Handcount	-3	7	EAVS
TX	ORANGE COUNTY	-1	-3%	34	2012	EAVS	33	2018	Handcount	-1	34	EAVS
TX	PALO PINTO COUNTY	-4	-24%	17	2012	EAVS	13	2018	Handcount	-4	17	EAVS
TX	PANOLA COUNTY	-1	-5%	20	2012	EAVS	19	2018	Handcount	-1	20	EAVS
TX	PARKER COUNTY	-3	-7%	44	2012	EAVS	41	2018	Handcount	-4	45	EAVS
TX	PARMER COUNTY	0	0%	9	2016	Handcount	9	2018	Handcount	9	0	EAVS
TX	PECOS COUNTY	0	0%	9	2012	EAVS	9	2018	Handcount	0	9	EAVS
TX	POLK COUNTY	0	0%	21	2012	EAVS	21	2018	Handcount	0	21	EAVS
TX	POTTER COUNTY	-8	-33%	24	2012	EAVS	16	2018	Handcount	-8	24	EAVS
TX	PRESIDIO COUNTY	0	0%	2	2012	EAVS	2	2018	Handcount	-1	3	EAVS
TX	RAINS COUNTY	0	0%	8	2012	EAVS	8	2018	Handcount	-1	9	EAVS

State	County	# Changed	% Changed	Benchmark Election Count	Benchmark Election Year	Benchmark Election Source	Post-Shelby Election Count	Post-Shelby Election Year	Post-Shelby Election Source	Midterm to Midterm	2014 Midterm Count	2014 Midterm Source
TX	RANDALL COUNTY	-9	-41%	22	2012	EAVS	13	2018	Handcount	-1	14	EAVS
TX	REAGAN COUNTY	0	0%	4	2012	EAVS	4	2018	Handcount	0	4	EAVS
TX	REAL COUNTY	0	0%	5	2014	EAVS	5	2018	EAVS	0	5	EAVS
TX	RED RIVER COUNTY	0	0%	19	2014	EAVS	19	2018	EAVS	0	19	EAVS
TX	REEVES COUNTY	-2	-17%	12	2014	EAVS	10	2018	Handcount	-2	12	EAVS
TX	REFUGIO COUNTY	0	0%	10	2012	EAVS	10	2018	Handcount	0	10	EAVS
TX	ROBERTS COUNTY	0	0%	2	2012	EAVS	2	2018	EAVS	0	2	EAVS
TX	ROBERTSON COUNTY	-1	-7%	14	2012	EAVS	13	2018	Handcount	0	13	EAVS
TX	ROCKWALL COUNTY	0	0%	17	2012	EAVS	17	2018	Handcount	-1	18	EAVS
TX	RUNNELS COUNTY	1	14%	7	2012	EAVS	8	2018	Handcount	0	8	EAVS
TX	RUSK COUNTY	-10	-45%	22	2012	EAVS	12	2018	Handcount	-5	17	EAVS
TX	SABINE COUNTY	0	0%	8	2012	EAVS	8	2018	Handcount	0	8	EAVS
TX	SAN AUGUSTINE COUNTY	0	0%	11	2012	EAVS	11	2018	Handcount	0	11	EAVS
TX	SAN JACINTO COUNTY	-1	-9%	11	2012	EAVS	10	2018	Handcount	-1	11	EAVS
TX	SAN PATRICIO COUNTY	-9	-53%	17	2012	EAVS	8	2018	Handcount	-9	17	EAVS
TX	SAN SABA COUNTY	-1	-25%	4	2012	EAVS	3	2018	EAVS	1	2	EAVS
TX	SCHLEICHER COUNTY	-1	-25%	4	2012	EAVS	3	2018	Handcount	-1	4	EAVS
TX	SCURRY COUNTY	-1	-9%	11	2012	EAVS	10	2018	Handcount	-1	11	EAVS
TX	SHACKELFORD COUNTY	0	0%	4	2012	EAVS	4	2018	Handcount	N/A	N/A	N/A
TX	SHELBY COUNTY	0	0%	14	2012	EAVS	14	2018	Handcount	0	14	EAVS
TX	SHERMAN COUNTY	0	0%	4	2014	EAVS	4	2018	Handcount	0	4	EAVS
TX	SMITH COUNTY	-14	-29%	48	2012	EAVS	34	2018	Handcount	-8	42	EAVS
TX	SOMERVELL COUNTY	-4	-80%	5	2012	EAVS	1	2018	Handcount	-3	4	EAVS
TX	STARR COUNTY	-1	-9%	11	2016	Handcount	10	2018	Handcount	N/A	N/A	N/A
TX	STEPHENS COUNTY	-1	-17%	6	2012	EAVS	5	2018	Handcount	0	5	EAVS
TX	STERLING COUNTY	0	0%	4	2012	EAVS	4	2018	EAVS	0	4	EAVS
TX	STONEWALL COUNTY	-3	-75%	4	2012	EAVS	1	2018	Handcount	-6	7	EAVS
TX	SUTTON COUNTY	0	0%	4	2012	EAVS	4	2016	Handcount	-1	5	EAVS
TX	SWISHER COUNTY	-1	-20%	5	2012	EAVS	4	2018	Handcount	0	4	EAVS
TX	TARRANT COUNTY	-27	-7%	365	2014	EAVS	338	2018	Handcount	-27	365	EAVS

State	County	# Changed	% Changed	Benchmark Election Count	Benchmark Election Year	Benchmark Election Source	Post-Shelby Election Count	Post-Shelby Election Year	Post-Shelby Election Source	Midterm to Midterm	2014 Midterm Count	2014 Midterm Source
TX	TAYLOR COUNTY	-14	-41%	34	2012	EAVS	20	2018	Handcount	-3	23	EAVS
TX	TERRELL COUNTY	-1	-50%	2	2012	EAVS	1	2018	Handcount	-4	5	EAVS
TX	TERRY COUNTY	-1	-14%	7	2012	EAVS	6	2018	Handcount	-1	7	EAVS
TX	THROCKMORTON COUNTY	-1	-20%	5	2012	EAVS	4	2018	Handcount	-2	6	EAVS
TX	TITUS COUNTY	0	0%	19	2012	EAVS	19	2018	EAVS	0	19	EAVS
TX	TOM GREEN COUNTY	-7	-27%	26	2012	EAVS	19	2018	Handcount	1	18	EAVS
TX	TRAVIS COUNTY	-67	-32%	210	2012	EAVS	143	2018	Handcount	-43	186	EAVS
TX	TRINITY COUNTY	0	0%	20	2012	EAVS	20	2018	Handcount	0	20	EAVS
TX	TYLER COUNTY	0	0%	17	2012	EAVS	17	2018	Handcount	0	17	EAVS
TX	UPSHUR COUNTY	0	0%	16	2012	EAVS	16	2018	Handcount	0	16	EAVS
TX	UPTON COUNTY	0	0%	3	2012	EAVS	3	2018	Handcount	0	3	EAVS
TX	UVALDE COUNTY	0	0%	14	2012	EAVS	14	2018	Handcount	0	14	EAVS
TX	VAL VERDE COUNTY	-3	-18%	17	2012	EAVS	14	2018	Handcount	14	0	EAVS
TX	VAN ZANDT COUNTY	0	0%	18	2012	EAVS	18	2018	Handcount	0	18	EAVS
TX	VICTORIA COUNTY	0	0%	35	2012	EAVS	35	2016	Handcount	0	35	EAVS
TX	WALKER COUNTY	0	0%	16	2012	EAVS	16	2018	Handcount	0	16	EAVS
TX	WALLER COUNTY	0	0%	19	2012	EAVS	19	2018	Handcount	0	19	EAVS
TX	WARD COUNTY	0	0%	5	2012	EAVS	5	2018	Handcount	-4	9	EAVS
TX	WASHINGTON COUNTY	0	0%	15	2012	EAVS	15	2018	Handcount	0	15	EAVS
TX	WEBB COUNTY	9	15%	60	2012	EAVS	69	2018	Handcount	2	67	EAVS
TX	WHARTON COUNTY	-4	-33%	12	2012	EAVS	8	2018	Handcount	0	8	EAVS
TX	WHEELER COUNTY	0	0%	10	2012	EAVS	10	2018	Handcount	0	10	EAVS
TX	WICHITA COUNTY	-8	-24%	34	2012	EAVS	26	2018	Handcount	-5	31	EAVS
TX	WILBARGER COUNTY	-2	-33%	6	2012	EAVS	4	2016	Handcount	-3	7	EAVS
TX	WILLACY COUNTY	-1	-9%	11	2012	EAVS	10	2018	Handcount	-1	11	EAVS
TX	WILLIAMSON COUNTY	-27	-31%	86	2012	EAVS	59	2018	Handcount	-3	62	EAVS
TX	WILSON COUNTY	0	0%	16	2012	EAVS	16	2018	Handcount	0	16	EAVS
TX	WINKLER COUNTY	0	0%	5	2012	EAVS	5	2018	Handcount	0	5	EAVS
TX	WISE COUNTY	1	5%	21	2012	EAVS	22	2016	Handcount	1	21	EAVS
TX	WOOD COUNTY	0	0%	11	2012	EAVS	11	2018	Handcount	-1	12	EAVS
TX	YOAKUM COUNTY	0	0%	2	2012	EAVS	2	2018	Handcount	0	2	EAVS
TX	YOUNG COUNTY	-4	-44%	9	2012	EAVS	5	2018	Handcount	-4	9	EAVS
TX	ZAPATA COUNTY	0	0%	7	2012	EAVS	7	2018	Handcount	0	7	EAVS
TX	ZAVALA COUNTY	-2	-33%	6	2012	EAVS	4	2018	EAVS	-3	7	EAVS





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EXHIBIT 16

The Guardian



Texas closes hundreds of polling sites, making it harder for minorities to vote

Guardian analysis finds that places where black and Latino population is growing by the largest numbers experienced the majority of closures and could benefit Republicans

The fight to vote is supported by



About this content

Richard Salame

Mon 2 Mar 2020 06.00 EST

Last year, Texas led the US south in an unenviable statistic: closing down the most polling stations, making it more difficult for people to vote and arguably benefiting Republicans.

A report by civil rights group The Leadership Conference Education Fund found that 750 polls had been closed statewide since 2012.

Long considered a Republican bastion, changing racial demographics in the state have caused leading Democrats to recast Texas as a potential swing state. Texas Democratic party official Manny Garcia has called it “the biggest battleground state in the country”.

The closures could exacerbate Texas’s already chronically low voter turnout rates, to the advantage of incumbent Republicans. Ongoing research by University of Houston political scientists Jeronimo Cortina and Brandon Rottinghaus indicates that people are less likely to vote if they have to travel farther to do so, and the effect is disproportionately greater for some groups of voters, such as Latinxs.

“The fact of the matter is that Texas is not a red state,” said Antonio Arellano of Jolt, a progressive Latino political organization. “Texas is a nonvoting state.”

On a local level, the changes can be stark. McLennan county, home to Waco, Texas, closed 44% of its polling places from 2012 to 2018, despite the fact that its population grew by more than 15,000 people during the same time period, with more than two-thirds of that growth coming from Black and Latinx residents.

In 2012, there was one polling place for every 4,000 residents. By 2018 that figure had dropped to one polling place per 7,700 residents. A 2019 paper by University of Houston political scientists found that after the county’s transition to vote centers, more voting locations were closed in Latinx neighborhoods than in non-Latinx neighborhoods, and that Latinx people had to travel farther to vote than non-Hispanic whites.

Some counties closed enough polling locations to violate Texas state law. Brazoria county, south of Houston, closed almost 60% of its polling locations between 2012 and 2018, causing it to fall below the statutory minimum, along with another county. In a statement, Brazoria county clerk Joyce Hudman said the closures were inadvertent, and that this would not happen again in 2020.

A Guardian analysis based on that report confirms what many activists have suspected: the places where the black and Latinx population is growing by the largest numbers have experienced the vast majority of the state’s poll site closures.

The analysis finds that the 50 counties that gained the most Black and Latinx residents between 2012 and 2018 closed 542 polling sites, compared to just 34 closures in the 50 counties that have gained the fewest black and Latinx residents. This is despite the fact that the population in the former group of counties has risen by 2.5 million people, whereas in the latter category the total population has fallen by over 13,000.



A cyclist passes election signs near an early voting site in San Antonio, on 18 February 2020. Photograph: Eric Gay/AP

‘Turned out to be a nightmare’

Until 2013, hundreds of counties and nine states, including Texas, with a history of severe voter suppression had to submit any changes they wanted to make to their election systems to the Department of Justice under the Voting Rights Act. The department sought to ensure that the changes did not hurt minority voters. But seven years ago, a supreme court ruling gutted this law and allowed these jurisdictions to operate without oversight, and now the previously mandatory racial-impact analysis is no longer performed.

The rush of poll closures in Texas cannot be attributed to any one policy. Just over half of the closures are part of a push toward centralized, countywide polling places, called “vote centers”, which exist in almost a third of US states. Under countywide voting schemes, voters are no longer assigned to a polling place in their local precinct and can instead cast their ballot at any polling location in the county.

Voting rights advocates and both Republican and Democratic leaders have largely been in favor of vote centers because they can make it more convenient to vote - by allowing people to vote near work, for instance - and because they can reduce the number of people whose votes are thrown out because they went to the wrong polling place.

But Texas state law allows a county that transitions to vote centers to operate with half as many locations as they would otherwise have needed under a traditional precinct-based system.

When deciding whether to close a polling station, elected officials typically consider how many people used it, as well as factors like public transportation accessibility. Some elections administrators who agree on the importance of protecting minority voters warn against assuming that closures are automatically a bad thing.

“I’d be curious to know how many of the consolidation efforts were good faith efforts [to] ... increase the number of options for a voter but also improve the kind of polling place that a particular voter may have voted in,” said Chris Davis, the Williamson County elections administrator and former president of the Texas Association of Election Administrators. He pointed out that some precinct polling places were ADA-inaccessible.

McLennan county GOP chair Jon Ker called concerns about closures impacting turnout “hogwash,” saying that turnout was actually higher in his county after the number of voting locations dropped from 59 to 33. The 2018 midterm elections did indeed have higher turnout than

the 2014 midterms in McLennan county, though voting also surged more broadly across the state and nation.

Mary Duty, chair of the McLennan County Democratic party, has soured on the centralization program since the county entered it in 2014. “It turned out to be kind of a nightmare,” she said, pointing to large areas of the county without a voting location. And activists argue that low turnout at a particular polling place is not a reason to close it - it is a sign that the turnout itself, which is typically lower in Latinx neighborhoods, must be addressed. Closing a polling station for reasons of low turnout can have a discriminatory impact, activists say.

The 334 poll closures between 2012 and 2018 that took place outside the vote center program would by themselves still rank Texas among the biggest poll closers in the country, ahead of Arizona, Georgia, Louisiana and Mississippi.

Elections officials have cited tight budgets and difficulty recruiting poll workers as among the reasons for the reductions.

The upshot is that for many Texas voters, the ballot box is ever further away.

Democracy is in peril ...

... ahead of this year’s US election. Donald Trump is busy running the largest misinformation campaign in history as he questions the legitimacy of voting by mail, a method that will be crucial to Americans casting their vote in a pandemic. Meanwhile, the president has also appointed a new head of the US Postal Service who has stripped it of resources, undermining its ability to fulfill a crucial role in processing votes.

This is one of a number of attempts to suppress the votes of Americans - something that has been a stain on US democracy for decades. The Voting Rights Act was passed 55 years ago to undo a web of restrictions designed to block Black Americans from the ballot box. Now, seven years after that law was gutted by the supreme court, the president is actively threatening a free and fair election.

Through our Fight to vote project, the Guardian has pledged to put voter suppression at the center of our 2020 coverage. This election will impact every facet of American life. But it will not be a genuine exercise in democracy if American voters are stopped from participating in it.

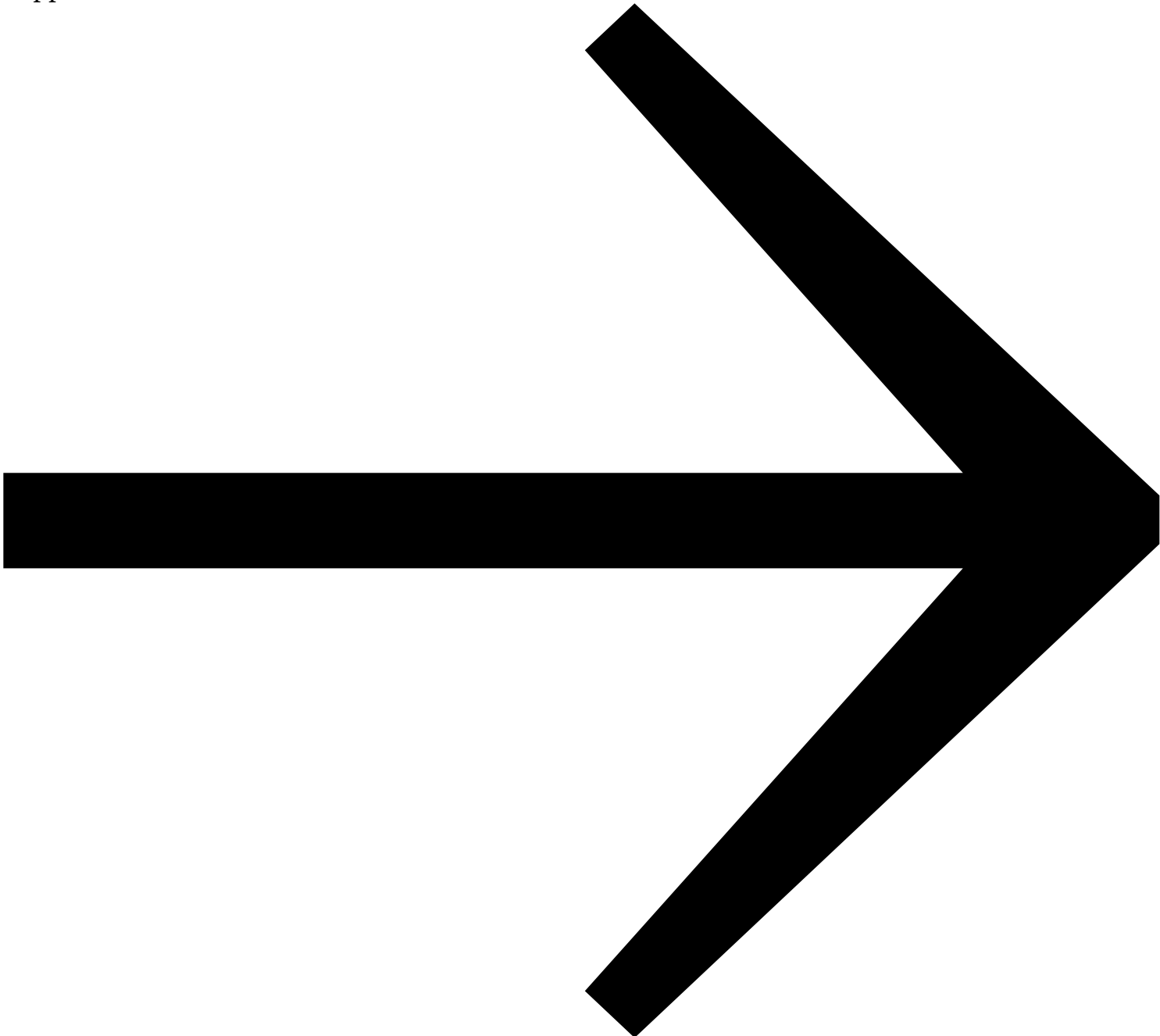
At a time like this, an independent news organisation that fights for truth and holds power to account is not just optional. It is essential. Like many other news organisations, the Guardian has been significantly impacted by the pandemic. We rely to an ever greater extent on our readers, both for the moral force to continue doing journalism at a time like this and for the financial strength to facilitate that reporting.

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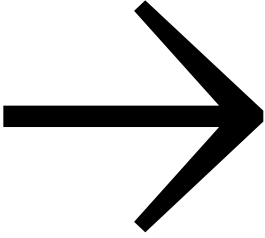
Remind me in October



Remind me in October

Email address

Set my reminder



We will use this to send you a single email in October 2020. To find out what personal data we collect and how we use it, please visit our [Privacy Policy](#)

We will be in touch to invite you to contribute. Look out for a message in your inbox in October 2020. If you have any questions about contributing, please contact us [here](#).

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EXHIBIT 17



GOVERNOR GREG ABBOTT

July 27, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

2:00pm O'CLOCK

JUL 27 2020

Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation suspending certain statutes concerning elections on November 3, 2020.

The original of this proclamation is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "GSD", with a long horizontal flourish extending to the right.

Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have renewed the disaster declaration for all Texas counties; and

WHEREAS, the Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt, has determined that COVID-19 continues to represent a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, pursuant to legislative authorization under Chapter 418 of the Texas Government Code, I have issued executive orders, proclamations, and suspensions of Texas laws in response to the COVID-19 disaster, aimed at using the least restrictive means available to protect the health and safety of Texans and ensure an effective response to this disaster; and

WHEREAS, Section 41.001(a) of the Texas Election Code provides that a general or special election in this state shall be held on a uniform election date, and the next uniform election date is occurring on November 3, 2020; and

WHEREAS, I issued a proclamation on March 18, 2020, suspending Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise have held elections on May 2, 2020, to move their general and special elections for 2020 only to the November 3, 2020 uniform election date; and

WHEREAS, Texas law provides that eligible voters have a right to cast a vote in person; and

WHEREAS, as counties across Texas prepare for the upcoming elections on November 3, 2020, and establish procedures for eligible voters to exercise their right to vote in person, it is necessary that election officials implement health protocols to conduct elections safely and to protect election workers and voters; and

WHEREAS, in order to ensure that elections proceed efficiently and safely when Texans go to the polls to cast a vote in person during early voting or on election day for the November 3, 2020 elections, it is necessary to increase the number of days in which polling locations will be open during the early voting period, such that election officials can implement appropriate social distancing and safe hygiene practices; and

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:00 PM O'CLOCK

JUL 27 2020

Governor Greg Abbott
July 27, 2020

Proclamation
Page 2

WHEREAS, Section 85.001(a) of the Texas Election Code provides that the period for early voting by personal appearance begins 17 days before election day; and

WHEREAS, Section 86.006(a-1) of the Texas Election Code provides that a voter may deliver a marked mail ballot in person to the early voting clerk's office while the polls are open on election day; and

WHEREAS, in consultation with the Texas Secretary of State, it has become apparent that for the November 3, 2020 elections, strict compliance with the statutory requirements in Sections 85.001(a) and 86.006(a-1) of the Texas Election Code would prevent, hinder, or delay necessary action in coping with the COVID-19 disaster, and that providing additional time for early voting will provide Texans greater safety while voting in person; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, the legislature has expressly authorized the Governor to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster;

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, under the authority vested in me by the Constitution and laws of the State of Texas, do hereby suspend Section 85.001(a) of the Texas Election Code to the extent necessary to require that, for any election ordered or authorized to occur on November 3, 2020, early voting by personal appearance shall begin on Tuesday, October 13, 2020, and shall continue through the fourth day before election day. I further suspend Section 86.006(a-1) of the Texas Election Code, for any election ordered or authorized to occur on November 3, 2020, to the extent necessary to allow a voter to deliver a marked mail ballot in person to the early voting clerk's office prior to and including on election day.

The Secretary of State shall take notice of this proclamation and shall transmit a copy of this order immediately to every County Judge of this state and all appropriate writs will be issued and all proper proceedings will be followed to the end that said elections may be held and their results proclaimed in accordance with law.



IN TESTIMONY WHEREOF, I have hereto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 27th day of July, 2020.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor of Texas

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:00 PM O'CLOCK

JUL 27 2020

Governor Greg Abbott
July 27, 2020

Proclamation
Page 3

ATTESTED BY:



RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:00 pm O'CLOCK

JUL 27 2020

EXHIBIT 18



CUSTOMER NOTIFICATION: COVID-19 (“Coronavirus”) Information

March 9, 2020

Dear Election Official:

In light of COVID-19 (“Coronavirus”) developments in the U.S. and globally, we want to remind customers of instructions for cleaning and sanitizing your voting equipment.

The Centers for Disease Control and Prevention (CDC) [recommends](#) the best way to protect your health while visiting any polling place is to **USE HAND SANITIZER** and **WASH HANDS** as soon as possible. Because the virus enters through the eyes, nose and mouth, frequent and thorough handwashing remains the #1 most effective protection against Coronavirus infection. Voters should use antibacterial hand sanitizer before and after their voting session and be instructed to wash their hands after voting, regardless of what method of voting is in place.

How to Clean & Sanitize Your Voting Equipment

According to the CDC, transmission of Coronavirus to persons from surfaces contaminated with the virus has not been documented. However, cleaning and sanitizing surfaces can help reduce occurrence of viral outbreaks:

- Always follow recommended manufacturer guidelines for cleaning and sanitizing equipment. Using the enclosed guidelines for ICX Touchscreens (see Avalue Cleaning Guidance), ImageCast Precinct or ImageCast Evolution systems (see ImageCAST® Tabulators Surface Cleaning Guide), thoroughly clean all units in every polling place each morning before powering them on. Clean the units again in the evening after they have been powered off. Remind voters to use hand sanitizer and wash their hands in between.
- The CDC’s guidelines for polling stations includes a [list of products with EPA-approved emerging viral pathogens claims](#) (*NOTE: Some formulations may not be appropriate for your hardware and may cause problems*).
- Follow the **CAUTION** information in the enclosed instructions to prevent damage to your voting system touchscreens and tabulators. Cleaning the units while they are powered ON is not recommended. Moist wipes may alter the touch sensitivity of screens until the moisture is removed. Additionally, some screen buttons may be inadvertently activated during wipe down.
- Regular alcohol wipes can be used for cleaning activation cards and non-porous privacy sleeves.

Thank you for your attention to this important matter. If you have questions or need further information, please contact your Customer Relations Manager for guidance.

DOMINION
VOTING



1201 18th St., Suite 210, Denver, CO 80202
(866) 654-8683 | DOMINIONVOTING.COM

ImageCAST® Tabulators Surface Cleaning Guide

Dominion Voting Systems products are designed to withstand intensive use under operating and environmental conditions outlined in voting standards (VVSG). Normally, surface dirt and fingerprints do not affect the operation of the tabulators. However, from a healthcare aspect, it may be beneficial to clean and sanitize the product before and after use on Election Day. This guide provides the cleaning procedures, along with equipment and supplies required for this purpose.

NOTE: These products are intended solely for cleaning the exterior of the tabulators. Do not apply to the interior components of the system.

A. Recommended Cleaner and Sanitizing Agent:

Dominion recommends using one of the following cleaners/sanitizing agents for ImageCAST Tabulators:

- Mix of isopropyl alcohol and water solution with a ratio of at least 50% alcohol, up to 100% straight isopropyl alcohol.

B. Recommended Cloths and Wipes:

Dominion recommends using one of the following microfiber electronics cleaning cloths or wipes to clean the exterior of your tabulators:

Cloths:

- 3MTM Scotch-Brite® Electronics Cleaning Cloth.
- TECHSPRAY® 2368-2 LCD and Plasma Screen Cleaning Wipes

Disinfectant Wipes:

- KIMTECH® One-Step Disinfectant Wipes.

C. Instructions:

1. POWER OFF the tabulator.
2. Spray a small amount of cleaning / sanitizing agent onto the cloth.
3. Wipe the tabulator in a gentle motion to remove any dirt, dust, or finger marks.
4. Use a dry cloth to wipe any excess moisture.
5. The tabulator is ready to be deployed for use or storage.

CAUTION

Normal household cleaners, cloths and wipes are not safe to use on the LCD glass or displays. Please use only the Dominion recommended solutions. Please consult with Dominion technical support before using any other solutions.

To avoid potentially hazardous situations associated with the use of alcohol or other cleaning / sanitizing agents which may result in personal injury and property damage:

- Be sure to follow all instructions and recommendations in this document and the manual.
- Be sure to follow precautions and directions for any cleaning / sanitizing agent.
- Do NOT use any solutions that contain ammonia, acidic, alkali or other caustic chemicals.
- Do NOT use any vinegar-based solutions.
- Do NOT use coarse cloths or paper towels.
- Do NOT spray cleaning / disinfecting agent directly on the tabulator.

We value the health of our customers and voters. Thank you!



9 Timber Lane, Marlboro, NJ 07746
Tel: (732) 414-6500 Fax: (732) 414-6501

Avalue Touch Panel PC Care and Cleaning Guide

Thank you for using the Avalue Touch Panel PC. Our products are designed to withstand intensive use under all types of applications and require very little maintenance. Normally, dirt and fingerprints do not affect the operation of the Touch Panel PC. However, Avalue recommends that you periodically clean the Touch Panel PC for best visual and operational experience. Certain applications such as medical, healthcare and fitness, etc. may also require disinfecting the product after use. Therefore, we have prepared for you this Touch Panel PC Care and Cleaning Guide. Please read and be sure to follow the instructions outlined when cleaning or disinfecting the Touch Panel PC.

Recommended Cleaner and Disinfecting Agent:

We recommend using one of the following cleaners or disinfecting agents to clean and/or disinfect your Touch Panel PC:

Cleaners:

- 3M CL600 Anti-Static Electronic Equipment Cleaner.
- TECHSPRAY® 1605-6FP LCD and Plasma Screen Cleaner.

Disinfecting Agents:

- Mix isopropyl alcohol and water solution at a ratio of 50:50.
- Straight isopropyl alcohol.

Recommended Cloths and Wipes:

We recommend using one of the following screen safe, microfiber electronics cleaning cloths or wipes to clean your Touch Panel PC:

Cloths:

- 3MTM Scotch-Brite® Electronics Cleaning Cloth.
- TECHSPRAY® 2368-2 LCD and Plasma Screen Cleaning Wipes.

Cleaning Wipes:

- 3MTM CL610 Electronic Equipment Wipes.
- 3MTM CL630 Notebook Screen Cleaning Wipes.
- Fellowes® 99703 Screen Wipes.

Disinfectant Wipes:

- KIMTECH® One-Step Disinfectant Wipes.

Instructions:

1. Turn off the Touch Panel PC and all other attached devices.
2. Spray a small amount of cleaning / disinfecting agent onto the cloth.
3. Wipe the Touch Panel PC in a gentle motion to remove any dirt, dust, or finger marks.
4. Use a dry cloth to wipe any excess moisture.
5. Turn the Touch Panel PC back on.



9 Timber Lane, Marlboro, NJ 07746
Tel: (732) 414-6500 Fax: (732) 414-6501

CAUTION

Normal household cleaners, cloths and wipes may not be safe to be used on the sensitive electronics components. Please use the Avalue recommend cleaning / disinfecting solutions. Please consult with Avalue technical support before using any other cleaning / disinfecting solutions. To avoid potentially hazardous situations associated with the use of alcohol or other cleaning / disinfecting agents which may result in personal injury and property damage:

- Follow all instructions and recommendations in the manual.
- Be sure to follow cleaning / disinfecting agent manufacturer's precautions and directions.
- Do not use any solutions that contain ammonia, acidic, alkali or other caustic chemicals on the Touch Panel PC.
- Do not use any vinegar-based solutions.
- Avoid using coarse cloths or paper towels.
- Do NOT spray cleaning / disinfecting agent directly on the Touch Panel PC.

EXHIBIT 19



Best Practices for COVID-19

Best Practices for Cleaning & Disinfecting Equipment

First and foremost, ES&S shares its concern and empathy regarding the health and safety of all, including U.S. registered voters and poll workers.

To be as helpful as possible in this unprecedented situation, ES&S is reminding customers, below, of instructions for cleaning and disinfecting voting equipment, as well as providing voters and poll workers a link to government recommendations for staying safe while voting.

The [Centers for Disease Control and Prevention](#) (CDC) recommends the best way to protect your health while visiting any polling place is to use hand sanitizer and wash hands as soon as possible. Frequent and thorough hand washing remains the most effective protection against Coronavirus infection, according to the CDC. Voters should use antibacterial hand sanitizer before and after their voting session and be instructed to wash their hands after voting, regardless of what method of voting they use.

With the high volume of voters using a machine, equipment surfaces get smudged and dirty. Use these procedures throughout Election Day to help maintain a sanitary voting environment and keep the equipment operating at maximum efficiency.

CLEANING & DISINFECTING PROCEDURES FOR ES&S EQUIPMENT

These procedures apply to all ES&S devices. Procedures may be used on all surfaces including touch screens, ADA peripherals, input trays, ballot boxes, stands and external surfaces of the equipment. Following these steps will clean and disinfect. These steps may be conducted while the device is running, but must only be applied to external surfaces.

<p>Required Supplies:</p>	<p>Use one of the following options:</p> <ul style="list-style-type: none"> • Soft, lint-free cloth with isopropyl alcohol (70% or less) • ES&S Touch Screen Cleaning Kit • Alcohol wipes
<p>Required Staff:</p>	<p>One trained poll worker</p>

1. To clean and disinfect the external surfaces of the device:
 - a. Lightly dampen (do not soak) a soft, lint-free cloth with isopropyl alcohol.
 - b. Using gentle pressure and circular motions, wipe the surface until clean. To disinfect, maintain contact with the surface for a sustained duration; between 30 seconds and 10 minutes depending on the product.

Caution

For the ExpressVote XL, the touch screen manufacturer recommends disinfectants do NOT touch the black sensor tracks along the edges of the screen. Exposing the sensors to disinfectants may damage the entire touch screen.

Instead, focus cleaning on the areas where voters come in contact with the touch screen.

Important

Be careful not to scratch touch screens.

ADDITIONAL MANUFACTURER-APPROVED DISINFECTANTS

In addition to the supplies listed in the previous section, the following disinfectants are manufacturer-approved for use as other product options. ES&S is sharing this list directly from our touch screen manufacturers. Inclusion on this list does not guarantee the product is rated for COVID-19.

Important

Products marked with an asterisk meet the EPA's criteria for use against SARS-CoV-2, the cause of COVID-19. Check the [EPA website](#) regularly for an updated list of approved products.

ES&S will continue to update this document as new information becomes available.

For ExpressVote®, DS200®, DS450®, DS850®, ExpressTouch®, EP5000®, AutoMark®, and iVotronic® touch screens:

- Household bleach solution (1/3 cup bleach per gallon of water)*
- Clorox® Disinfecting Wipes
- Clorox® Healthcare Bleach Germicidal Wipes
- Clorox® Commercial Solutions Hydrogen Peroxide Cleaner Disinfectant Wipes
- Lonzagard® Disinfectant Wipes
- Lysol® Brand Clean & Fresh Multi Surface Cleaner (20% cleaner solution to water ratio)
- Purell® Professional Surface Disinfectant Wipes
- Sani-Cloth® Prime Germicidal Disposable Wipes*

For ExpressPoll® touch screens:

- PDI Sani-Cloth® Plus
- Covidien™ Alcohol Prep pads
- CaviWipes™
- Clorox Healthcare® Bleach Germicidal Wipes
- Total Solutions® Disinfectant Wipes

CLEANING PROCEDURES BEFORE AND AFTER STORAGE

When you first bring your equipment out of storage, or when you prepare to return it to storage, additional cleaning procedures may be applied. See the System Maintenance Manual for your product(s) for more information.

CLEANING PRECAUTIONS

To ensure the equipment is not damaged during cleaning, remember these precautions.

Warning



- Do NOT use full-strength, harsh detergents, liquid cleaners, aerosols, abrasive pads, scouring powders, or solvents, such as benzene, unless otherwise noted. Disinfectant sprays, such as Lysol, are not permitted and will damage the touch screen.
- Avoid highly concentrated solutions (alcohol exceeding 70%, bleach or ammonia) as these may cause discoloration.
- Liquids should never be applied directly to the unit.
- Do not soak the cloth with solution so that moisture drips or lingers on the external surface.

Caution



- Prolonged exposure to alcohol will disinfect the equipment, but may remove the sheen on plastic surfaces. This will not effect the structural integrity of the equipment.
- Do not allow cleaning solutions to come in contact with ballot stock.

Important



- ES&S cannot make a determination of the effectiveness of a given disinfectant product contained herein in fighting pathogens, such as COVID-19. Please refer to federal and local public health authority's guidance on how to stay safe from potential infection.

APPLICABLE VERSIONS

- All ES&S voting systems

EXHIBIT 20



Hart Equipment Cleaning Recommendations

Hart equipment may be wiped with a 50% or higher clear, fragrance-free, isopropyl alcohol solution and a lint-free wipe. Do not use ammonia or detergent-based solutions as these may be harmful to the screen or the plastics surrounding the display. To avoid spotting, make certain that equipment screens are wiped dry (do not leave puddles).

We encourage our customers to:

- Wipe polling place devices and booths with a lint-free cloth that has been slightly dampened with 50% or higher clear isopropyl alcohol (hand alcohol wipes are fine). It is best to do this for every voter.
- Provide hand sanitizer at the voter check-in station (so voters' hands are relatively clean when they go to the equipment).
- Use single-use, disposable, ear covers for device headphones.
- Additionally, poll workers and staff at poll book and laptop workstations should keep their hands clean and equipment wiped down regularly.

EXHIBIT 21



COVID-19 - As recommended precautions continue to increase for COVID-19, the James E. Rudder Building will be closed to visitors and customers beginning Wednesday, March 18, 2020. The Office of the Secretary of State is committed to continuing to provide services to ensure business and public filings remain available 24/7 through our online business service, [SOSDirect](#) or use the new [SOSUpload](#). Thank you in advance for your patience during this difficult time. [Information on Testing Sites is now available.](#)

Note - Navigational menus along with other non-content related elements have been removed for your convenience. Thank you for visiting us online.

Election Advisory No. 2020-14

To: Election Officials

From: Keith Ingram, Director of Elections

A handwritten signature in blue ink, appearing to read "Keith Ingram".

Date: April 6, 2020

RE: COVID-19 (Coronavirus) Voting and Election Procedures

The purpose of this advisory is to assist election officials in facilitating voting for individuals that may be affected by COVID-19, and in preparing for the conduct of elections in the context of this public health issue.

Voter Registration Procedures

Stay-at-home orders and office closures in your jurisdiction may impact voters seeking to obtain voter registration applications. There are several existing options that you should encourage voters to utilize:

- **In-County Updates via [Texas Online](#):** If a voter has moved within the same county, the voter may update their address online at www.Texas.gov. Voters that are active or in suspense can update their name and/or residence address through this secure website.
- **Printed Voter Registration Applications:** If a voter has access to a printer, the voter can use the [SOS Informal Online Application](#) to complete a voter registration application. This application can be printed and mailed to the applicable county voter registrar. When the voter selects their county of residence, it will preprint the county voter registrar's address on the form so that when the voter mails it, they send it directly to their county voter registrar.
- **Postage-Paid Voter Registration Applications:** If a voter does not have access to a printer, the voter can request that a blank postage-paid voter registration application be mailed directly to the voter. The voter can fill out the [request form](#) on the SOS website. Counties can also mail blank applications to voters upon request.
- **Revisions to Voter Registration Certificate:** If a voter has their current voter registration certificate, they may make any necessary corrections or updates to the certificate, sign it and return it to the voter registrar.
- **[Register2Vote.org](#):** This is a third-party website that provides a remote printing option for voters. Voters can complete a form online and have a pre-filled application sent to them for completion. The voter must complete the form, sign it, and mail it in the included postage-paid envelope. This form is sent directly to the county voter registrar.

Voting Procedures Authorized under the Texas Election Code

Below we have described some of the procedures that are authorized under Texas law that may be of assistance to voters that are affected by a recent sickness or a physical disability.

Voting by Mail

In Texas, in order to vote by mail, a voter must have a qualifying reason. A voter may vote early by mail if they:

- will be away from their county on Election Day and during early voting;
- are sick or disabled;
- are 65 years of age or older on Election Day; or
- are confined in jail, but eligible to vote.

One of the grounds for voting by mail is disability. The Election Code defines "disability" to include "a sickness or physical condition that prevents the voter from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring the voter's health."

(Sec. 82.002). If a voter believes they meet this definition, they can submit an application for ballot by mail.

- [Application for a Ballot by Mail \(PDF\)](#).

Chapter 102, Late Voting Due to Recent Sickness or Physical Disability

The Election Code authorizes late voting if a voter becomes sick or disabled on or after the day before the last day for submitting an application for a ballot to be voted by mail, and is unable to go to the polling place on Election Day. The voter must designate a representative to submit an application on the voter's behalf in person to the early voting clerk. The application must be received before 5:00 p.m. on Election Day. The application is reviewed and the early voting clerk verifies the applicant's registration status in the same manner as early voting by mail. The early voting clerk must provide the same balloting materials that are used for early voting by mail to the representative who will deliver them to the voter. The voter should mark and seal the ballot in the same manner as voting by mail **including signing** the back flap of the carrier envelope. The ballot must be returned in its carrier envelope to the early voting clerk before 7:00 p.m. on Election Day **by the same representative** who delivered the ballot to the voter.

- [Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability \(PDF\)](#)
- [Instructions for Voter to include with Balloting Materials \(PDF\)](#)

Chapter 104, Voting at Main Early Voting Location

The Election Code authorizes voters who are sick or disabled to vote on Election Day at the main early voting place, so long as voting machines of some type are used in the voter's precinct and the voter's sickness or disability prevents the voter from voting in the regular manner without personal assistance or likelihood of injury. For this procedure, the voter must complete and submit the applicable affidavit to be provided with the balloting materials used for early voting by mail. The voter must mark and seal the ballot in the same manner as in early voting by mail, except that the certificate on the carrier envelope need not be completed. After sealing the carrier envelope, the voter must give it to the clerk at the main early voting polling place between the hours of 7:00 a.m. and 7:00 p.m. The Early Voting Clerk must note on the envelope that the ballot was voted under Chapter 104.

- [Affidavit for Voting at Early Voting Place on Election Day \(PDF\)](#)

Curbside Voting

If a voter is physically unable to enter the polling place without assistance or likelihood of injury to his or her health, the voter is eligible for entrance or curbside voting. (Sec. 64.009). This option must be made available at all polling locations. To provide for voting curbside, the voter must be qualified by the election officer before the voter can receive the ballot. An election officer may deliver a ballot or a DRE voting machine to the voter at the entrance or curb of the polling place. Poll watchers and inspectors must be allowed to accompany the election officer. Once the voter has marked his or her ballot, the election officer deposits the ballot for the voter. On the voter's request, a person accompanying the voter to the polling place must be permitted to select the voter's ballot and to deposit the ballot in the ballot box after the voter has voted. If the voter is not only physically unable to enter the polling place, but is also eligible for voter assistance in marking his or her ballot, they may receive assistance in marking and completing their ballot in accordance with Chapter 64, Subchapter B of the Election Code. Either two election officers may assist the voter or the voter may be given assistance by a person of the voter's choice, other than the voter's employer, an agent of that employer or an officer or agent of the voter's labor union. For voters that are voting at the curbside, **instruct polling place workers to allow the curbside voter the same privacy as a voter in the voting booth**. We anticipate providing further guidance regarding curbside voting in the coming weeks.

Potential Court Order to Address Quarantined Voters

Voting in-person during early voting or on Election Day may not be an available option for all voters, including those affected by quarantines. Political subdivisions may need to act quickly to address the rapidly changing public health situation. In monitoring your situations locally, it is important to note that you may have a need to modify certain voting procedures. In these circumstances, you may want to consider seeking a court order to authorize exceptions to the voting procedures outlined in certain chapters of the Texas Election Code for these voters. The following are possible considerations:

1. **Expanding Eligibility Requirements Under Chapter 102 (Late Voting for Sickness or Physical Disability):** A court order could provide for a temporary expansion of the eligibility requirements for Chapter 102 voting to allow voters in quarantine to vote in this fashion. This option would also require the court, in some instances, to temporarily waive or modify the requirement for a physician's signature on the application for this type of late ballot for purposes of any election(s) impacted by COVID-19.
2. **Other Modifications to Voting Procedures:** A court order could provide for modifications to other voting procedures as necessary to address the impact of COVID-19 within the jurisdiction. For example, in 2014, Dallas County obtained a court order authorizing modified voting procedures for individuals affected by the Ebola quarantine, modeled on the procedures outlined in Section 105.004 of the Texas Election Code for certain military voters in hostile fire pay zones.

If your county obtains a court order allowing modifications to voting procedures to address COVID-19, please send a copy of the court order to the Secretary of State's Office.

Other Considerations Related to COVID-19 or Other Illnesses

If your political subdivision is affected by a stay-at-home order, quarantine or outbreak of COVID-19 or any other type of illness, the conduct of your elections could be impacted. In order to protect the health and safety of election workers, below are some considerations:

- **Cleaning and Sanitizing Voting System Equipment:**
 - **Voting System and e-Pollbook Equipment:** Please check with your vendor about the specific procedures you should follow to clean and sanitize any equipment that is handled by voters or polling place workers. We received specific information from the following vendors about proper techniques for cleaning equipment:
 - **Hart Intercivic Voting System Equipment:** Users may wipe Hart equipment with 50% or higher clear, fragrance-free, isopropyl alcohol solution and a lint-free wipe. Do not use ammonia or detergent-based solutions as these may be harmful to the screen or the plastics surrounding the display. To avoid spotting, make certain that equipment screens are wiped dry (do not leave puddles).
 - **ES&S Voting System Equipment:** You can use a soft, lint free cloth and isopropyl alcohol to clean the touchscreen of the voting machine. Do not spray directly on the touch screen. Only lightly dampen the cloth, do not soak it. Do not use any harsh cleaning products on the screen as this may damage the touch screen. Do not allow any liquid cleaner to come in contact with ballot stock.
- **Cleaning and Sanitizing Polling Places:** The Centers for Disease Control and Prevention (CDC) has issued [recommendations](#) for preventing the spread of coronavirus specifically in election polling locations. Here are a few of their specific suggestions:
 - **Encourage workers to wash hands frequently:** wash hands often with soap and water for at least 20 seconds. If soap and water are not readily available, use an alcohol-based hand sanitizer that contains at least 60% alcohol.
 - **Practice routine cleaning of frequently touched surfaces with household cleaning spray or wipe:** including tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks, etc.
 - **Disinfect surfaces that may be contaminated with germs after cleaning:** A list of products with EPA-approved emerging viral pathogens claims is available on the [EPA's website](#). Products with EPA-approved emerging viral pathogens claims are expected to be effective against the virus that causes COVID-19 based on data for harder to kill viruses. Follow the manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, use of personal protective equipment).
- **Arrangement of Polling Places:** It is imperative that you review your procedures related to setting up your polling place. Voting stations should be set up in a way that adheres to the suggested social and physical distance guidelines and allow for at least 6 feet between voters. Additionally, you should review your check-in stations to ensure you are providing adequate space between voters. This may include providing your workers with tape to mark off spacing guidelines on the floor of the polling place.
- **Election Judges and Clerks:**
 - **Training and Recruiting of Election Workers:**
 - **Recruitment of Election Workers:** We recommend that you make efforts to recruit and train additional workers beyond what you project to need for a given election. This will ensure that you have adequate back up workers to assist in the event that you have election workers that are unavailable at the last minute.
 - **Recruiting from Current Workers:** With regard to recruiting workers, you may want to ask your current appointed judges to provide recommendations of other individuals that can serve. Additionally, you may have different judges and clerks depending on the type of election you hold. We suggest you reach out to your entire pool of potential workers to determine availability for 2020 election dates.
 - **Student Election Clerks:** You may also want to consider enlisting [student election clerks](#) in your pool of available workers. For elections occurring outside of the school year, the student clerks would not need to obtain permission from their high school principal provided they obtained permission from their parent or legal guardian.
 - **Training of Election Workers:** In order to train a larger pool of workers, you may want to consider allowing your election workers to utilize the Secretary of State's online Poll Worker Training. This training is focused on the legal procedures related to acceptance of voters and the voting process. Any procedures that are specific to your county would need to be provided through additional training or supplemental materials.
 - **Unavailability of Judges:** If both the presiding judge and alternate judge are unavailable to serve and this is discovered after the 20th day before election day, the presiding officer of the appointing authority, or if the presiding officer is unavailable, the authority responsible for distributing supplies for the election, shall appoint a replacement judge. (Sec. 32.007). Additionally, if the authority is unable to find an election judge who is a qualified voter of the specific precinct needing a judge, the authority may appoint individuals that meet the eligibility requirements of an election clerk which encompasses a broader territory. (Sec 32.051(b)).

Type of Election	Presiding Officer of Appointing Authority	Authority responsible for Delivering Supplies
Primary Election	County Chair of Political Party	County Chair of Political Party
Joint Primary	County Election Officer	County Election Officer
General Election for State and County Officers or County Ordered Election	County Judge	County Election Officer

Cities	Mayor	City Secretary
Other Political Subdivision Elections	Presiding Officer of Governing Body of Political Subdivision	Secretary of Governing Body; if no secretary, the presiding officer of governing body

- **Polling Locations:**

- **Review List of Locations:** We recommend reviewing your list of current polling locations to determine if you should consider proactively relocating them. For example, if you are currently using assisted living facilities or residential care facilities that have residents that would be in one of the higher-risk categories, relocating the polling place may be in the best interest of the individuals at that location. Please be advised that if you choose to relocate a polling place in a facility like this, we strongly recommend that you provide information to the residents about voting by mail to ensure that they are still able to vote in upcoming elections without the difficulty of leaving the facility to travel to a different polling place. Additionally, you should be monitoring your current polling places to determine if any of those locations have been closed as a result of business or government building closures.
- **Unavailable Locations:** If polling locations become unavailable, you may need to relocate your polling location or combine and consolidate that location with another polling place in close proximity to it. To the extent possible, any changes to polling locations must be made in accordance with Chapters 42 and 43 of the Texas Election Code. If you are in a situation where you will have difficulty complying with these chapters, please contact the Secretary of State's office to discuss other available options.
 - **Notice of Changes to Polling Locations:** Please be advised that if you have a polling location change, you must post [notice \(PDF\)](#) of that change at the location that is no longer being used. Any websites that contain polling locations should be updated. For certain county-run elections, polling place information must also be updated with the Secretary of State's office, if applicable.
 - **Website Notices:** At this time, you may want to consider posting a notice on your website instructing voters to check your website for updates and changes to polling locations prior to early voting and election day. This will help ensure that voters are always getting updated and accurate information.
- **Voting by Mail Considerations:** At this time, the CDC has not provided any special recommendations or precautions for the storage of ballots. However, it is recommended that workers handling mail ballots practice [hand hygiene](#) frequently. Please continue to stay updated on the CDC's website as they provide additional recommendations regarding the handling of mail and other topics.
 - **Additional Ballot by Mail Supplies:** Because there may be a higher volume of ballot by mail requests in 2020, we strongly recommend that you review your current supply of applications, balloting materials, and ballot stock for future elections. It is important you have the necessary supply on hand to meet increased requests you may receive.
- **Election Office Hours:** Election officials are required to maintain certain office hours related to their election duties for a prescribed number of days before and after an election. If your office is closed for public health reasons or you are unable to be at your office during the mandatory office hour time frame, we advise that entities post information on how to get in contact with the applicable officials for election related information. This may include posting phone numbers, an email address that can receive public inquiries, or even a mailing address that can receive written requests for information. We recommend that you assign someone to periodically check for voicemails, emails, or mail related to your election.
- **Voter Registration Office Hours:** Section 12.004(c) requires the voter registrar's office to be open while the polls are open on the date of any election held in the county on a uniform election date. If you have entities that will be holding an election on May 2, 2020, you must satisfy this requirement. However, we believe that as long as you can provide answers to voter registration questions remotely and you notify your entities about how to reach you, you do not need to be physically in the office. You must also be able to provide all of the same voter registration services you would otherwise provide to your local political subdivisions if you were in the office.
- **Volunteer Deputy Registrars (VDR):** You still have a legal obligation to process volunteer deputy registrar applications. If you must suspend volunteer deputy registrar classes, we strongly advise that you adopt the SOS online Volunteer Deputy Registrar training and in-person examination option. This would allow you to schedule the examinations based on need or desire by VDRs and would allow you to temporarily reduce or cancel in-person training as dictated by your county's circumstances. For more information about adopting the online training and examination, please see [Advisory 2019-04](#). Additionally, you still have an obligation to receive voter registration applications from VDRs. To eliminate person-to-person contact, you could provide drop boxes for voter registration applications. These drop boxes should be located in close proximity to your main office or connected to it. They should be secured and checked regularly.
- **Cybersecurity Impacts:** If your political subdivision is affected by a widespread quarantine or outbreak of COVID-19 or any other type of illness, your office staff might be mandated to work remotely. In addition, the volume of voters that will start to utilize your internet-based resources will increase. During a crisis situation, bad actors may try to capitalize on the circumstances to take actions that could compromise the security of your elections office. Please remain vigilant about following best practices related to cybersecurity and election security.
 - **Service Interruption:** Networks are normally built to sustain high volume traffic, but the magnitude of the COVID-19 crisis presents an increased risk that systems may become compromised. An abnormal increase in network traffic could be misinterpreted as a DOS (Denial of Service) attack which could shut down networks depending on the type of security implementation.
 - **Ransomware:** Cybercriminals can infect the computers of government agencies before demanding that they pay a ransom for an encryption key that will free their locked files and records. Ransomware can lock up databases preventing polling places from verifying eligibility and confirming that voters are in the right districts/precincts.
 - **Election Systems and e-Pollbook Equipment:** As mentioned above, databases are susceptible because they must have a constant network connectivity. When relocating polling places, it is very important to ensure that the systems are connected to a

secure and reliable network.

- **Voter Registration Scams:** Voter registration procedures are not conducted over the phone or the internet other than the previously mentioned authorized channels. Be aware of scams that are targeted to steal personally identifiable information from voters and/or election workers. It is especially important not to provide personal information of voters or election workers over the phone if your office is solicited in this manner.
- **Communications Plan:** You should develop a plan for communicating to voters and election workers when any changes occur that may impact them. The communications plan should involve updating your official website with specific details. Any use of social media should direct people back to your official website to ensure that only official, accurate, and authorized information is being disseminated to the public. We suggest you develop a plan for working with local media to keep the public informed. Finally, any major changes that affect the election process in your county should be communicated to the Secretary of State's office.

Additional Resources

Here are a list of additional resources that may be helpful to you.


- [Election Assistance Commission - Coronavirus \(COVID-19\) Resources](#)
- [Centers for Disease Control and Prevention \(CDC\) – Recommendations for Election Polling Locations](#)
- [Texas Department of State Health Services – Coronavirus Disease 2019 \(COVID-19\)](#)

If you have any questions regarding this advisory, please contact the Elections Division at 1-800-252-2216.

KI:CA

EXHIBIT 22

Election Advisory No. 2020-19

 sos.state.tx.us/elections/laws/advisory2020-19.shtml

[Skip to Main Content](#)



x COVID-19 - As recommended precautions continue to increase for COVID-19, the James E. Rudder Building will be closed to visitors and customers beginning Wednesday, March 18, 2020. The Office of the Secretary of State is committed to continuing to provide services to ensure business and public filings remain available 24/7 through our online business service, SOSDirect or use the new SOSUpload. Thank you in advance for your patience during this difficult time. Information on Testing Sites is now available.

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To: [County Clerks/Elections Administrators and County Chairs](#)

From: Keith Ingram, Director of Elections



Date: June 18, 2020

RE: Voting In Person During COVID-19

Background

The purpose of this advisory is to assist election officials to prepare for and facilitate in-person voting during the current public health crisis caused by the novel coronavirus (COVID-19). This advisory is intended to supplement our office's guidance in Election Advisory No. 2020-14 (issued on April 6, 2020) and the recommended health protocols (PDF) for Texas election officials and voters in response to COVID-19 (issued on May 26, 2020). We will address curbside voting and ballot-by-mail procedures in separate advisories.

Given the rapidly changing nature of the ongoing public health disaster, this guidance may be updated or supplemented as additional information becomes available.

Precinct Requirements

July 14, 2020 Elections

For a primary runoff election, county election precincts may be consolidated pursuant to Section 42.009 of the Texas Election Code ("the Code"). The consolidation of precincts is subject to Section 42.005 (officer-line rule), which means that each consolidated precinct must only have one ballot style. With a consolidated precinct, the county election precincts become a single larger precinct; the results are reported by the consolidated precinct rather than for each individual precinct. If you are participating in the countywide polling place program, and you have opted to use countywide voting for the primary runoff election, you may only consolidate to a minimum of four locations. In addition, Section 43.007(m)(1) requires that each county in the countywide polling place program have at least one countywide polling location in each commissioners precinct.

November 3, 2020 Elections

In a general election for state and county officers, counties are required to use county election precincts as their election-day precincts. The Code does not authorize the consolidation of precincts in a general election. However, a county may combine certain

precincts for a general election in accordance with Section 42.0051 if it has county election precincts with less than 500 registered voters. (In a county with a population of 250,000 or more, combination may occur if there are less than 750 registered voters in a precinct.) Counties can combine these precincts with other precincts to avoid unreasonable expenditures for election equipment, supplies, and personnel. When combining county election precincts, the individual precincts, ballots, and records stay separated by precinct, but you have one single polling place, with one team of judges and clerks that serves both precincts.

As a reminder, any combination of precincts must comply with applicable state and federal law, including the Voting Rights Act. (Section 42.0051(d)). The county does not need to obtain approval from our office to combine precincts.

Polling Places

Public Buildings as Polling Places

Pursuant to Section 43.031 of the Code, each polling place shall be located inside a building and that building shall be a public building, if practicable. A public building is defined as any “building owned or controlled by the state or a political subdivision,” including cities and schools. (Section 43.031(a)). **Section 43.031(c) requires an entity that owns or controls a public building to make the building available for use as a polling place in any election that covers territory in which the building is located.** If an entity that owns or operates a public building is closed due to concerns or orders relating to COVID-19, the entity still may need to make its building available for use as a polling place.

When choosing public buildings that can accommodate social distancing, as recommended by the Centers for Disease Control and Prevention (CDC), consider using large spaces, such as publicly owned community centers, school cafeterias, and gymnasiums. It may be possible to continue using existing polling locations for upcoming elections. However, where possible, election officials should consider relocating polling places to larger venues if doing so will facilitate social distancing.

An entity that owns or controls a public building may not charge for any expenses associated with the use of the facility as a polling place if election day is a day on which the building is normally open for business. If the building is not normally open for business on election day, a charge may be made only for reimbursement for the actual expenses resulting from the use of the building in the election. (Section 43.033). If building owners express concerns over utilizing their buildings as polling places, our office recommends that election officials discuss these concerns with the owners to determine their specific concerns and how they may best be addressed.

Private Buildings as Polling Places

If a suitable public building is unavailable for use, the polling place may be located in another building, including churches, clubhouses, private community centers, and grocery stores. (Section 43.031(d)). Consistent with Governor Greg Abbott's Executive Order No. GA-26 (PDF), our office strongly recommends that nursing homes, senior centers, and residential care facilities not be used as polling places if they are currently occupied with residents. If election officials customarily use these facilities as polling places but move to a different location, you should work with facility representatives to provide information to voters about voting in person at the new location and, if eligible, voting by mail.

Notice of Polling Location Changes

Given the ongoing public health crisis, different polling locations may have to be utilized to accommodate voter turnout, as well as to ensure the health and safety of voters and election workers. If a polling place changes for the November general election after notice of the election is given under Section 4.003 of the Code, the county election official must provide notice of a polling location change. (Section 43.061). The amended notice must be posted or given no later than the earlier of 24 hours after the location is changed or 72 hours before the polls open on election day. The county election official must provide notice of the location change by posting this information on the county election website or by notifying each candidate on the ballot (or, for a position representing multiple counties: the county chair; for an independent candidate: the county judge).

For the November uniform election and the primary runoff elections, if a different polling place is being used from the previous election held by the same authority, a Notice of Previous Precinct (PDF) must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible. (Section 43.062).

Additionally, any websites that contain polling location information should be updated as needed. If your county uses social media to provide polling place information, your posts should direct voters back to your official website to ensure only official, accurate, and authorized information is being disseminated to the public. We recommend posting on your website an alert to voters that the information is subject to change, and that they should check back before going to vote. We suggest you develop a plan for working with local media to keep the public informed of polling location changes. Finally, if any changes are made to polling locations, make sure to notify the Secretary of State's office and submit the changes to TEAM so that all polling locations are properly updated in the online public listings.

Inside the Polling Place

Social Distancing

In accordance with the CDC's recommendations for social distancing, our office recommends that polling locations be set up in a way that allows voters to practice social distancing by spacing themselves at least 6 feet apart. This may be accomplished by using tape or chalk to mark adequate spacing on polling place floors or providing directional markings so voters know where to go as they move through the line. Before making any markings to the facility, we recommend that election officials discuss the markings with the building owner. When setting up a polling place, election workers may place tape or draw lines (with chalk) every 6 feet to encourage voters to practice social distancing. Please provide instructions and supplies, if applicable, to election workers to assist with removing the chalk or tape when closing the location at the end of the voting period. Election officials also may need to evaluate the location of power outlets in the voting area and utilize extension cords or power strips to allow for more spacing between equipment.

If a polling place is being used for business other than voting, such as a grocery store, and there are lines to enter the location, consider forming two separate lines; one for patrons waiting to enter the building and one for individuals waiting to vote. Additionally, in order to ensure a voter's health, safety, and privacy, a polling place may limit the number of people inside a building to a certain number, so long as the line is able to continue safely outside. When forming lines for voters outside of a polling place, please remember to take weather factors into consideration.

Cleaning and Sanitizing Polling Places

The CDC has issued recommendations for preventing the spread of coronavirus specifically in election polling locations. Here are a few of their specific suggestions:

- Encourage workers to wash their hands frequently with soap and water for at least 20 seconds. If soap and water are not readily available, use an alcohol-based hand sanitizer that contains at least 60% alcohol.
- Practice routine cleaning of frequently touched surfaces with household cleaning spray or wipes, including tables, doorknobs, light switches, handles, desks, toilets, faucets, and sinks.
- Disinfect surfaces that may be contaminated with germs after cleaning: A list of products with EPA-approved emerging viral pathogens claims is available on the EPA's website. Products with EPA-approved emerging viral pathogens claims are expected to be effective against the virus that causes COVID-19 based on data for harder to kill viruses. Follow the manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, use of personal protective equipment).

The guidelines reproduced here are examples. Please read the CDC's guidance in full as you work to ensure a safe environment for all voters and election workers.

Voter Check-in and Qualification Process

During the ongoing public health crisis, our primary concern is the health and safety of voters, election workers, and local election officials and their staff. Below are ways our office believes election officials can ensure safety for election workers and voters.

This list is not exhaustive and may be expanded to include other options that are specific to a county's individual processes. In addition, you should review our office's guidance on recommended health protocols (PDF) for Texas election officials and voters, issued on May 26, 2020.

Election Worker Health and Safety

Election officials may consider screening all employees or polling place workers prior to entering an elections office or polling place. This may be accomplished by taking the temperature of employees and polling place workers prior to entering the polling place or office and/or by asking such individuals to self-screen on a daily basis. The checklist provided in our health protocols can be provided to election workers for self-screening purposes.

Our health protocols identified the following signs or symptoms of possible COVID-19:

- Cough
- Shortness of breath or difficulty breathing
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- Loss of taste or smell
- Diarrhea
- Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit
- Known close contact with a person who is lab-confirmed to have COVID-19

Please continue to monitor guidance from the CDC and the Texas Department of State Health Services regarding COVID-19 symptoms, as public health recommendations may be updated or supplemented in the future.

Employees and polling place workers should wash or sanitize their hands upon entering the election office or polling place, and between interactions with voters or other personnel. While working, employees and polling place workers should maintain at least six feet separation from other individuals not within the same household, to the extent feasible. In

addition to encouraging the practice of such social distancing when feasible, other measures such as hand hygiene, cough etiquette, cleanliness, and sanitation should be rigorously practiced.

If any employee or polling place worker develops signs or symptoms of COVID-19 while at work, send the worker home immediately and clean and sanitize the areas in which the person was working. Do not allow employees or polling place workers with new or worsening signs or symptoms of COVID-19 to return to a polling place or election office until:

- In the case of an employee or polling place worker who was diagnosed with COVID-19, the individual may return to work when all three of the following criteria are met:
 - at least 3 days (72 hours) have passed since recovery (resolution of fever without the use of fever-reducing medications); and
 - the individual has improvement in symptoms (e.g., cough, shortness of breath); and
 - at least 10 days have passed since symptoms first appeared; or
- In the case of an employee or polling place worker who has symptoms that could be COVID-19 and does not get evaluated by a medical professional or tested for COVID-19, the individual is assumed to have COVID-19, and the individual may not return to work until the individual has completed the same three-step criteria listed above; or
- If an employee or polling place worker has symptoms that could be COVID-19 and wants to return to work before completing the above self-isolation period, the individual must obtain a medical professional's note clearing the individual for return based on an alternative diagnosis.

To ensure that polling places have adequate workers, we strongly recommend that you work with your party officials to ensure that there are backup election workers available to replace any workers who are sick or unable to work. If both the presiding judge and alternate judge are unavailable to serve and this is discovered after the 20th day before election day, the presiding officer of the appointing authority, or if the presiding officer is unavailable, the authority responsible for distributing supplies for the election, shall appoint a replacement judge. (Section 32.007). Additionally, if the authority is unable to find an election judge who is a qualified voter of the specific precinct needing a judge, the authority may appoint individuals that meet the eligibility requirements of an election clerk, which encompasses a broader territory. (Section 32.051(b)). Please see Advisory 2020-14 for more details.

Personal Protective Equipment for Workers

Many jurisdictions have issued personal protective equipment (PPE) to their election workers. Based on recommendations from the Texas Department of Emergency Management (TDEM), we believe that face coverings, hand sanitizer, and disinfectant wipes are likely to be the most beneficial PPE for election workers and voters.

- **Face Coverings:** We strongly encourage all election workers to wear face masks or face shields throughout the election period when serving as an election worker. The authority appointing election judges may want to consider establishing guidelines for the use of face coverings by employees and election workers. For primary runoff elections, this authority is the county chair. (Section 32.006). For the general election for state and county officers, this authority is the commissioners court. (Section 32.051(a)(2)). For early voting workers, the authority is the early voting clerk. (Section 83.032). Election officials may want to consider providing plastic face shields as an alternative for election workers who are unable or hesitant to wear cloth or paper face masks. We also recommend allowing workers to periodically take breaks outside of the voting area to allow them time to remove their protective face coverings. For guidance on how workers can disinfect and reuse face coverings, please consult the following CDC resources:
 - Use of Cloth Face Coverings to Help Slow the Spread of COVID-19
 - Decontamination and Reuse of Filtering Facepiece Respirators
 - **Plastic Guards for Check-in Stations:** Election officials may consider installing plastic guards at check-in tables so long as they do not interfere with the check-in process. Protective plastic guards can allow a voter to show their identification to the election worker and complete the check-in process with minimal physical contact, if any. Additionally, plastic guards can provide an alternative form of protection for election workers who are unable to wear a face mask. Election officials may also want to consider alternating workers at the check-in station if they have workers who are unable or hesitant to wear a face mask.
 - **Poll Worker Training:** We recommend that counties incorporate health and safety considerations in their training of poll workers for upcoming elections. This training should provide instructions on cleaning and sanitizing the polling location, including the sanitizing of voting systems and electronic pollbook equipment. We recommend that you also provide training on health protocols, including proper social distancing, wearing and removing masks and other applicable personal protective equipment, and hand washing or the use of hand sanitizer.

Voter Health and Safety

The Texas Election Code does not authorize an election judge to ask a voter about their health history. This means that election workers cannot require a voter's temperature to be checked prior to entering the polling place; nor can an election worker ask a voter whether they have experienced symptoms of an illness in the past 14 days.

- **Face Coverings:** There is no authority under Texas law to require voters to wear face coverings when presenting to vote. However, election officials should make efforts to communicate to voters that wearing face coverings is strongly encouraged, including through posted signs. The Secretary of State is designing signs that can be used for this purpose. Additionally, election officials may design their own signs for posting. These signs must be approved by the Secretary of State prior to use. (Section 62.013). Election officials can also consider reasonable social distancing measures for voters who are not wearing face coverings in the polling place.

Voter Identification Implications: An election judge has discretion to ask the voter to temporarily lower or remove their face covering if the judge is not able to determine the voter's identity while wearing a face covering. (Sections 32.071 and 63.001(d)). The voter should be permitted to wear their face covering through the rest of the voting process after their identity has been confirmed. If a voter refuses to temporarily lower or remove their face mask, and the election judge cannot identify the voter with the mask in place and the ID presented, the voter should be offered a provisional ballot and may cure the deficiency later by appearing at the voter registrar's office during the cure period. (1 T.A.C. 81.71).

- **Electioneering:** Section 61.003 prohibits electioneering for or against any candidate, measure, or political party during the voting period and within 100 feet of an entrance to the building where the polling place is located. This prohibition applies to clothing and accessories worn by the voter, including face coverings. If a voter is wearing a face mask that qualifies as electioneering for or against any candidate, measure, or political party, the election judge may ask the voter to place a cover over the mask or provide the voter with a disposable face mask to be worn over the electioneering mask while within the 100-foot zone described in Sections 61.003 and 85.036.
- **Voter Presenting with Symptoms of COVID-19:** If a voter presents to vote in person with any of the above-identified signs or symptoms of COVID-19, an election judge may utilize their authority to preserve order and prevent breaches of the peace by offering the voter several options for voting, as described below. (Section 32.075). An election judge does not have the authority to refuse a voter who is presenting symptoms. Additionally, please instruct your workers to protect their own health by wearing face coverings, gloves, and/or washing and sanitizing their hands after interacting with any voters presenting signs or symptoms of COVID-19.

Below are guidelines to provide your election workers regarding interactions with voters who may be ill when they appear at the polling place:

- **Face Coverings:** If the symptomatic voter is not wearing a face covering, the election judge should offer a disposable face covering and/or gloves, if available, for the voter to use in the polling place. Although voters cannot be required to wear a face mask, the judge may ask the voter to wear a face mask temporarily in consideration of the health and safety of the election workers and other voters.
- **Curbside Voting:** The election judge may remind the symptomatic voter that they have the option to vote curbside and ask the voter if they would like to utilize that option. (Section 64.009). Election officials may want to place a sign outside of the polling location informing voters who feel ill that they may be eligible to vote curbside. This sign must be approved by the Secretary of State's office.
- **Voting Order Priority Discretion:** Alternatively, the election judge may accept the symptomatic voter before accepting others offering to vote at the polling place who arrived before the symptomatic voter. (Section 63.0015). We strongly suggest that election officials work with their election judges to develop protocols for when this procedure will be used to ensure that the process is conducted fairly, uniformly, and not to the detriment of other individuals waiting to vote. These protocols should account for the possible need to communicate with other voters about the reason for invoking the procedure without revealing information the confidentiality of which is protected by state or federal law. Please review Section 63.0015 of the Code for additional information regarding the procedures for giving voting order priority to voters with certain disabilities.

In addition, election officials can consider reasonable social distancing measures for voters who exhibit signs or symptoms of COVID-19 when presenting to vote in person.

As discussed below, you are encouraged to sanitize voting system equipment after each use. As common sense would suggest, this recommendation should be followed with particular care as to voters who present to vote in person with visible signs or symptoms of COVID-19.

Electronic Voting Systems, Check-in Equipment and Voting Stations

Sanitizing Voting Machines

As addressed in our Advisory 2020-14, please check with your vendor about the specific procedures you should follow to clean and sanitize any equipment that is handled by voters or polling place workers. We received specific information from the following vendors about proper techniques for cleaning equipment:

- **Hart Intercivic Voting System Equipment:** Users may sanitize Hart equipment with 50% or higher clear, fragrance-free, isopropyl alcohol solution and a lint-free wipe. Do not use ammonia or detergent-based solutions as these may be harmful to the screen or the plastics surrounding the display. To avoid spotting, make certain that equipment screens are wiped dry (do not leave puddles).
- **ES&S Voting System Equipment:** You can use a soft, lint-free cloth and isopropyl alcohol to clean the touchscreen of the voting machine. Do not spray directly on the touch screen. Only lightly dampen the cloth; do not soak it. Do not use any harsh cleaning products on the screen as this may damage the touch screen. Do not allow any liquid cleaner to come in contact with ballot stock.

Sanitizing Electronic Pollbooks and Paper Check-in Records

Please check with your ePollbook vendor about the specific procedures you should follow to clean and sanitize any equipment that is handled by voters or polling place workers. Although election workers cannot sanitize a piece of paper, we believe you may take the following measures to protect worker and voter health and safety:

- Provide every voter with a pen, pencil, or separate marking device to use at the check-in station. Allow voters to keep the device or rotate sanitized pens after every voter.
- Encourage voters to bring their own writing utensils or styluses. This cannot be a requirement, as you cannot impose additional requirements to access the voting process.
- Encourage voters to use hand sanitizer before and after signing the pollbooks.

Voting Tools

Many ePollbooks and voting devices utilize touchscreens that allow a voter to interact directly with the device. Traditionally, voters have used their hands to touch or interact with the equipment. In light of concerns about cleaning and sanitizing these devices, election officials may want to consider providing the voter with a stylus or stylus substitute. **Please check with your vendors (ePollbook and voting systems) to ensure styluses are compatible with their machines and discuss alternative stylus tools.** Examples of marking devices that election officials have reported success in using include: pencil erasers, cotton swabs, coffee stirrers, tablet styluses, and food-service gloves (not medical grade). Be sure to check with your vendors well in advance of the voting period to ensure the stylus tools you intend to use are compatible with your devices.

The benefit of allowing voters to utilize a stylus-type tool is that it prevents the voter from having to physically touch the ePollbooks or voting machines. Depending on the device, election officials may be able to provide a different marking tool for each voter that can be discarded or retained by the voter upon leaving the polling place. Alternatively, election officials may consider developing a procedure by which reusable devices are used and

subsequently sterilized after use by a voter. One thing to keep in mind when choosing a tool, especially depending on your ePollbooks, is the tool's ability to produce a legible signature capture on the ePollbook. The decision to invest in styluses should be made as soon as possible so the county has the ability to order supplies.

Even if the county is providing a voting tool to assist the voter, voters may want to bring their own devices to the polling place. We recommend providing information on your website regarding the acceptable types of voting tools for the equipment that will be used in your polling locations.

Note also that a stylus or stylus substitute purchased by election officials are subject to the prohibition on electioneering for or against any candidate, measure, or political party under Sections 61.003 and 85.036. If a company wants to provide supplies, election officials should ensure that the presence or use of such supplies within the 100-foot zone does not constitute electioneering for or against a candidate, measure, or political party. If a voter provides their own voting tool that is used to electioneer for or against a candidate, measure, or political party, the election judge may provide the voter with another voting tool to use while within the 100-foot zone described in Sections 61.003 and 85.036.

Voting Booths

Sections 51.032 and 62.004 of the Code require voting booths that provide privacy for voters while marking their ballots. In addition to voter privacy, we encourage voting booths to be spaced at least 6 feet apart in accordance with the CDC's social distancing guidelines. This spacing helps to ensure voter privacy as well as health and safety. Election officials may want to consider mapping out their individual polling places to provide direction to election workers on how to set up the location to facilitate social distancing.

Ballot Boxes

Similar to the social distancing markers placed before the voter check-in table, election workers should place tape or another marker every 6 feet to encourage social distancing while voters wait to deposit their ballots.

Precinct Ballot Scanners (if applicable)

Please check with your voting system vendor about the specific procedures you should follow to clean and sanitize any equipment that is handled by voters or polling place workers. Ballot scanners may have difficulty reading damp paper, so encourage voters to use care with hand sanitizer to avoid dampening paper ballots.

Poll Watchers

A poll watcher's role in an election is established in Chapter 33 of the Texas Election Code. Poll watchers are permitted in polling places (before and after the polls close), early voting ballot board meetings, and the central counting station. In light of COVID-19 concerns, poll watchers may be asked to adhere to certain health and safety measures to protect the health and well-being of other poll watchers, election workers, and voters. For more information regarding poll watcher qualifications, duties, and privileges, please see our Poll Watcher's Guide (PDF). Below are additional suggestions for poll watcher interactions:

- **Face Coverings:** While poll watchers cannot be required to wear a face covering, the Secretary of State's office strongly recommends that poll watchers wear some type of face covering, such as a mask or face shield, while in service. Election officials may consider having extra masks and/or face shields available for poll watchers if they arrive at a polling place without one. Even if poll watchers refuse face coverings while generally observing activities at their location, election officials should ask poll watchers to temporarily use a face covering if their poll watching activities require that they sit or stand within 6 feet of election officials or voters.
- **Social Distancing:** To the extent feasible, poll watchers should maintain at least 6 feet of separation from other individuals not within the same household. In addition to practicing such distancing when feasible, other measures such as hand hygiene, cough etiquette, cleanliness, and sanitation should be rigorously practiced. A person commits an offense if the person serves in an official capacity at a location at which the presence of watchers is authorized and knowingly prevents a watcher from observing an activity the watcher is entitled to observe. (Section 33.061).
- **Poll Watcher Health:** Election officials can ask that poll watchers review the health protocols and self-screen before entering the polling place to determine if they have any visible signs or symptoms related to COVID-19. If a poll watcher arrives at the polling location with any signs or symptoms of possible COVID-19, an election official may request that the appointing party, candidate, or political action committee appoint a replacement poll watcher. The appointing authority is not required to appoint an alternative. The presiding judge should document the request for an alternative poll watcher and any subsequent actions by the appointing authority. This should be documented on the poll watcher appointment form and in a standard affidavit form that can be found in an election kit.

Voter Assistants and Interpreters

Assistant of the Voter's Choice

A voter entitled to assistance may choose any person as his or her assistant except the voter's employer, an agent of that employer, or an officer or agent of the voter's labor union. (Section 64.032). A voter who needs assistance may want to consider bringing a family member or a member of their own household to assist them. However, there is no

requirement that the assistant be a member of the voter's household. If a voter chooses their own assistant, it is up to the voter and the assistant to decide whether the assistant will wear a face mask.

The assistant must take the Oath of Assistance prior to assisting the voter. No other person except for the person rendering assistance is permitted to be present while the voter prepares his or her ballot.

Assistance by Election Workers

A voter who is eligible for assistance but does not choose an assistant may receive assistance from two election officers. (Section 64.032(a)). If a voter is assisted by election officers in the general election for state and county officers, each officer must be aligned with a different political party unless there are not two or more election officers serving the polling place who are aligned with different parties. (Section 64.032(b)). Each assistant must take the Oath of Assistance prior to assisting the voter. No other person except for the person(s) rendering assistance is permitted to be present while the voter prepares his or her ballot.

If a voter is assisted by two election officers, those officers should wear face coverings while providing assistance. Additionally, to the extent possible, the election worker should practice social distancing while maintaining the voter's right to a secret ballot (i.e., don't make the voter call out their vote from 6 feet away).

Poll Watchers and Assistants/Interpreters

Poll watchers may observe assistance given to voters by election officials and inspect the ballot before it is deposited in the ballot box to determine if it was prepared in accordance with the voter's wishes. (Section 33.057(a)). If a poll watcher is not wearing a face covering, election officials may provide face shields or some other divider to poll watchers observing assistance.

NOTE: A watcher may not be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice, including by a person also serving as an interpreter at the voting station. (Section 33.057(b)).

Communication about Voting Procedures and Changes

With information and processes regarding COVID-19 constantly being updated, it is imperative that election offices communicate any changes in voting procedures to the public and interested parties. This includes, but is not limited to, posting information on the county's website, updating social media pages, and coordinating with the media.

Polling Place Signage

As a reminder, pursuant to state and federal law, all election materials prepared for voters in English must also be provided in Spanish and any other required languages for a specific jurisdiction. (Election Code, Chapter 272). Our office will be providing preapproved signs for posting inside and outside the polling locations. However, should an entity wish to design their own signs, those signs must be approved by the Secretary of State prior to use.

Frequently Asked Questions

Q1: Due to COVID-19, can an election official require that voters have their temperature taken prior to entering the polling place?

A: No, an election official cannot require a voter's temperature to be checked prior to entering the polling place to vote. If the building you are using is open for business, and has a temperature check for its employees on entering the building, you should coordinate with the person in charge of the building as to how you can separate these two groups at the entrance(s).

Q2: Can election officials require voters to wear a mask prior to entering the polling location?

A: No, you cannot require voters to wear face coverings prior to entering the polling location to vote. However, you may make masks available to all voters, as well as post signs encouraging the wearing of masks. If a voter has visible signs or symptoms of COVID-19, you may remind the voter that they have the option to vote curbside. In addition, you may post SOS-approved signs at the entrance to the polling location informing voters of this option. Election officials can also consider reasonable social distancing measures for voters who are not wearing face coverings in the polling place.

Q3: May election officials require an assistant/interpreter use a mask?

A: No, just as you cannot require a voter to use a mask in order to vote, you cannot require an assistant/interpreter to use a mask if they do not want to use one.

Q4: If an election worker cannot identify a voter under a mask, may the election worker require a person to remove it?

A: The election judge has discretion to ask the voter to temporarily lower or remove their face mask if the judge is not able to determine the voter's identity while wearing the mask. (Sections 32.071 and 63.001(d)). The voter should be permitted to wear their face covering through the rest of the voting process after their identity has been confirmed. If a voter refuses to temporarily lower or remove their face mask, and the election judge is unable to

identify the voter with the mask in place and the ID presented, the voter should be offered a provisional ballot and may cure the deficiency by appearing at the voter registrar's office during the cure period. (1 T.A.C. 81.71).

Q5: How should election officials sanitize equipment after use?

A: The SOS recommends that election officials sanitize equipment after each use, particularly if a voter is showing any signs or symptoms of COVID-19. Please contact your vendor about the specific procedures you should follow to clean and sanitize the equipment being used.

Q6: May election officials require the use of a pencil with an eraser to mark on the electronic voting system?

A: Yes. However, you should contact your vendor to make sure that it will work on the type of electronic voting machine being used. In addition, if you impose such a requirement, you must provide the pencils (or other stylus alternatives) for voters to utilize when voting.

7: May election workers give voters pencils as they come in to vote so that they may use the pencil to sign the combination form and vote?

A: Pencils are allowable for signatures on a combination form. The SOS recommends that you train your workers not to "erase" mistakes or errors on the combination form so as to preserve the document in its original form. If there is an error on a combination form, the election worker should mark through it or make a notation like they would if a voter or election worker were using a pen. (Section 62.015).

Q8: May election officials place social distancing requirements on a poll watcher?

A: No, you cannot place social distancing requirements on a poll watcher. A person commits an offense if the person serves in an official capacity at a location at which the presence of watchers is authorized and knowingly prevents a watcher from observing an activity the watcher is entitled to observe. (Section 33.061).

Q9: May a poll watcher observe a voter being assisted in preparing their ballot?

A: A watcher may not be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice, including by a person also serving as an interpreter at the voting station. (Section 33.057(b)).

Q10: If a county is using an electronic voting system for voting that requires the voter to use a DRE or Ballot Marking Device, can a voter request a paper ballot instead of voting on the electronic voting system equipment?

A: No. Counties are not required to offer voters the option of voting on a paper ballot if the county uses an electronic voting system. However, if a county is using paper ballots, they are required to offer some kind of accessible voting system equipment in the polling place for voters who need to use that equipment to mark their ballot privately and with limited assistance.

KI:LP

EXHIBIT 23



CORONAVIRUS IN TEXAS

Two major Texas counties are trimming polling locations as workers pull out over coronavirus

Gov. Greg Abbott's decision to not require voters to wear masks is driving away some poll workers, officials say.

BY ALEXA URA JULY 9, 2020 4 PM

COPY LINK



CORONAVIRUS IN TEXAS Recession Economy Reopening K-12 Schools University Reopenings Coronavirus Case Map



Texas voters are not required to wear masks while casting their ballots in person for the primary runoffs, the first statewide election during the coronavirus pandemic. Jordan Vonderhaar for The Texas Tribune

A lack of workers willing to run polling sites as Texas continues to report record coronavirus infections is forcing election officials in two major counties to scale back plans for the July 14 primary runoff elections.

Citing a drop-off spurred by fear of the virus, Bexar County, the state's fourth largest, is expected to close at least eight of its planned 226 voting locations for next Tuesday, according to County Judge Nelson Wolff.

In Tarrant County, the third largest, election officials learned Thursday that the local Republican and Democratic parties had agreed to shutter two of 173 sites planned for election day voting after the parties were unable to find election judges to run the polling places.

Tell us your voting story

Have you run into hurdles or problems while trying to vote in Texas? We want your help in reporting on those challenges. [Learn more.](#)



Although poll workers are generally being provided with protective gear, Gov. Greg Abbott's decision to not require voters to wear masks when they show up at polling locations is driving some poll workers away, Wolff said.

“There is protection for them in terms of what they try to do, but anybody can walk in without a mask,” Wolff said Wednesday evening during his daily coronavirus-related briefing. “The governor did not cover elections, and so they don’t want to work. Quite frankly, I don’t blame them.”

Early voting, which requires far fewer polling sites, is already underway in the runoffs.

Abbott issued a statewide mask mandate for Texans living in counties with more than 20 active coronavirus cases but [exempted people voting in the primary runoff elections.](#)

“We don’t want to deny somebody the ability to go vote simply because they don’t have a mask,” Abbott said last week, citing a constitutional necessity to exempt voters from the order.

An ongoing debate over how to conduct fair and safe elections during the pandemic has mostly focused on Democrats’ unsuccessful efforts to expand voting by mail while the coronavirus remains a threat to voters. But voting rights advocates have also called on state and local election officials to better prepare for in-person voting to avoid disenfranchising voters because of electoral challenges that could be exacerbated by the pandemic.

The runoff elections to finalize party ballots are generally a low-turnout affair, and many local election officials are using the contest as a test run for the pitched November general election, which is expected to strain the state’s voting systems with record turnout. Preparations for the runoffs included a poll worker census by counties as officials in Texas worked to avoid the electoral maladies that have disrupted voting in other states. Poll workers tend to be older and thus at higher risk for complications from the coronavirus.

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In Bexar County — home to San Antonio — election administrator Jacque Callanen said previously she had seen few workers drop from the county’s workforce when she ran through her list of regulars to confirm they were willing to work the election. But she was preparing to draft county workers into those posts as cases in the area began to skyrocket, raising concerns about whether workers would stick it out through an extended early voting period and election day when the county was slated to open up more polling places.

“We think we’ve covered as many bases as possible to keep both the election staff and the voters safe,” Callanen said before the early voting began last month. She did not respond to a request for comment regarding Wolff’s announcement about the polling place closures.

Soon after the governor’s mask exemption came down, Tarrant County election judge Dianne Kuykendall said three of the six poll workers who were supposed to help her staff the polling site at the Southwest Sub-Courthouse in Fort Worth quit over coronavirus concerns.

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Two of them specifically cited the exemption, Kuykendall said.

“Their second reasoning was because they are older and one of them does have diabetes,” she said. The third worker said she was worried about exposing herself because she has asthma.

Even before Abbott ordered masks statewide, the Texas secretary of state’s office had made clear to local officials that voters cannot be required to wear masks to enter a polling place. And voters who show up with symptoms can’t be turned away. The secretary of state’s guidance indicated poll workers can remind people about the curbside voting option or consider whether to move symptomatic voters to the front of the line.

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Acknowledging that poll workers who were dropping off were primarily citing fears tied to the pandemic, Tarrant County elections administrator Heider Garcia said those vacancies were still within the “usual rhythm” of drop-offs the county experiences each election.

“Obviously if that volume gets out of what is usual, that would be a problem,” Garcia said. “Right now, it’s within those parameters.”

Aside from the two polling locations that will be closed, election officials have been able to replace poll workers that had bowed out from their duties, but some polling places planned for election day were still short of a “few poll workers,” Garcia said.

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Kuykendall is still working to find replacements for Tuesday, but she said her call list included an 85-year-old woman and an older man who hadn’t worked an election in several years.

“I’m just having no luck getting people to work,” she said.

The shortage of poll workers for the much smaller runoffs could prove a harbinger for challenges to come in November, when counties will be attempting

to operate an increased number of polling places and will likely face an extended early voting period, which Abbott has previously indicated he will order.

“Voting rights organizations have been calling for investment in accessible and safe election administration since the beginning of the COVID-19 pandemic,” said H. Drew Galloway, executive director of the MOVE Texas Action Fund. “With early investment, election administrators could have avoided the confusion and disruption last-minute changes will cause voters in an already tumultuous election cycle.”

Early voting for the runoff ends Friday.

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EXHIBIT 24

Coronavirus Disease 2019 (COVID-19)

 dshs.state.tx.us/coronavirus/default.aspx



[Skip to content 3](#)

The Texas Department of State Health Services (DSHS) is working closely with the Centers for Disease Control and Prevention (CDC) in responding to the new coronavirus disease 2019 (COVID-19) that is causing an outbreak of respiratory illness worldwide.

Opening the State of Texas

Governor Greg Abbott has issued several Executive Orders detailing the ongoing plan to open businesses and activities in Texas. Review all DSHS guidance for Opening the State of Texas.

Case counts can now be found on the COVID-19 case dashboard.

Accessible version (Excel) | Texas COVID-19 Data Additional Datasets

All data are provisional and subject to change.

Browse this site for what to do if you're sick, testing information, symptoms, and prevention tips to help DSHS share facts, not fear.

Hospitals, healthcare professionals, local public health, community leaders, and others can find resources throughout this website to help them in their response to COVID-19.

This is a rapidly evolving situation and information will be updated as it becomes available. Check back often for the latest details and what Texans need to know about COVID-19.

See also the CDC website for the latest developments on COVID-19:
Coronavirus Disease 2019 (CDC)

What to Do If You Are Sick

Symptoms of COVID-19 may show up 2-14 days after exposure. The steps you should take if you think you are sick with COVID-19 depend on whether you have a higher risk of developing severe illness.

High-Risk Individuals:

- Older adults and/or people of any age with certain medical conditions are at a higher risk for getting very sick from COVID-19.
People Who Are at Increased Risk for Severe Illness (CDC)
- If you are a high-risk individual and you develop fever or symptoms, call your doctor.
- If you are not sick enough to be hospitalized, you can recover at home. Follow your doctor's instructions and refer to CDC recommendations for how to take care of yourself at home.

General Population:

- If you are in generally good health and have mild symptoms, stay home and take care of yourself like you would for a cold or the flu.
- If symptoms worsen, call your doctor.

If you are sick or are caring for someone who is sick, you can use the **COVID-19 Self-Checker** on the DSHS Texas Health Trace application to help you make decisions about seeking appropriate medical care.

If you need help finding a doctor or accessing medical care, call 2-1-1 and they can direct you to low- or no-cost providers in your area.

See the CDC website for more information on how to take care of yourself and others at home if sick:

If You Are Sick or Caring for Someone [CDC.gov](https://www.cdc.gov)

Caring for Yourself at Home [CDC.gov](https://www.cdc.gov)

Caring for Someone at Home [CDC.gov](https://www.cdc.gov)

Information on disinfecting your home and vehicle and disposing of contaminated waste if someone is sick can also be found on the CDC and TCEQ websites:

Disinfecting Your Home (CDC) Disinfecting Non-Emergency Transport Vehicles (CDC)

Disposal of COVID-19 Contaminated Waste (TCEQ)

See also the CDC Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes.

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COVID-19 Testing

Your doctor will help make the decision if you should get tested for COVID-19.

If you do not have health insurance, you can still get tested for COVID-19 if your doctor or healthcare provider recommends it.

For information about testing, you just need to call your doctor and/or access care the way you usually do. If you need help finding a doctor or accessing medical care, call 2-1-1 and they can direct you to low- or no-cost providers in your area.

People can get tested for COVID-19 at public testing sites or drive-thru locations in certain parts of Texas.

For an explanation of the different types of tests for COVID-19, see [COVID-19 Testing Explained](#) (PDF, V.2.0, updated 6/25/2020).

To learn more about types of testing, see also the CDC website:

- [Test for Current Infection \(CDC\)](#)
- [Test for Past Infection \(CDC\)](#)

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Symptoms of COVID-19

Patients with COVID-19 have reportedly had mild to severe respiratory illness.

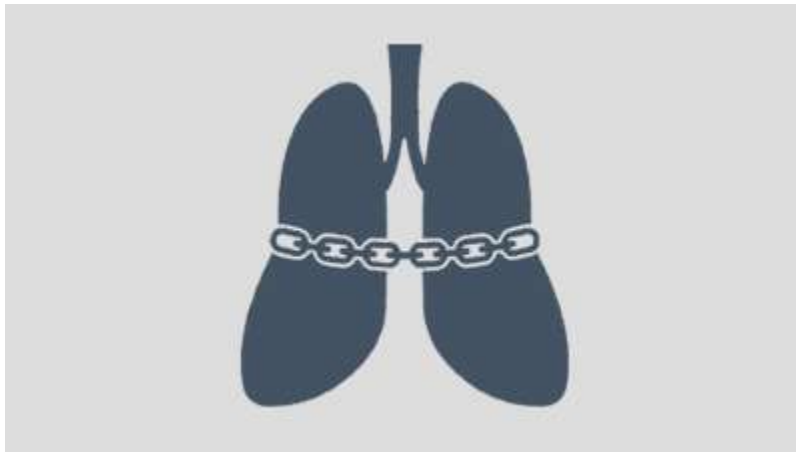
Symptoms of COVID-19 can include:



Fever



Cough



Shortness of Breath

Other symptoms reported with COVID-19 include:

- Chills
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Learn more about COVID-19 symptoms on the CDC website.

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Prevention of COVID-19

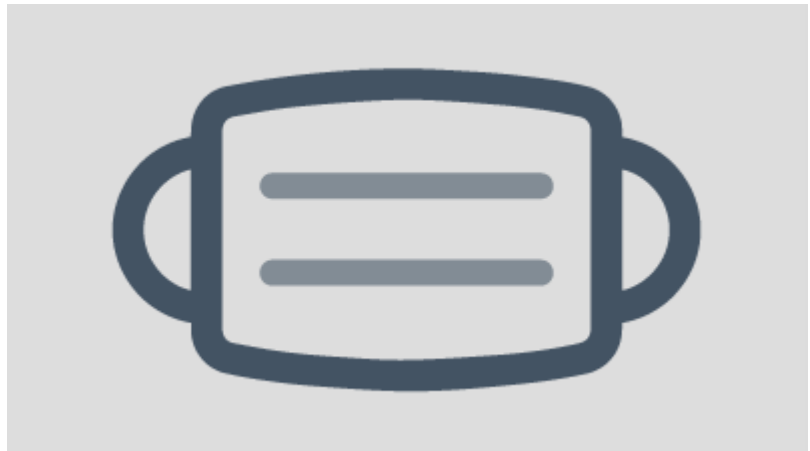
There is currently no vaccine to prevent COVID-19. The best way to prevent infection is to take steps to avoid exposure to this virus, which are similar to the steps you take to avoid the flu.

- Wash hands with soap and water.
- Wear a face covering.
- Cover coughs and sneezes.
- Avoid touching face.
- Disinfect often touched surfaces.
- Stay 6 feet apart.

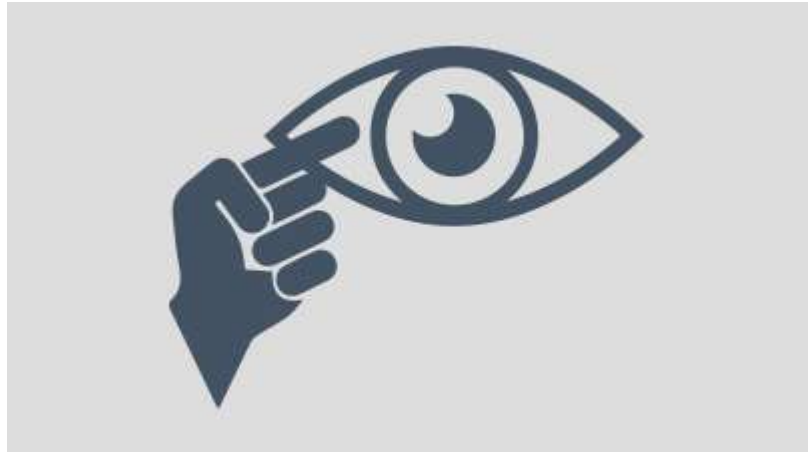
Hand-Washing Video (YouTube)
 Hand Sanitizer Video (YouTube)
 Third-party videos may not have closed captioning. Alternatively, you can download or print the DSHS Hand-Washing flyer: [English](#) | [Spanish](#)

DSHS recommends these everyday actions to help prevent the spread of any respiratory virus, including COVID-19:

- Wash hands often for 20 seconds and encourage others to do the same. Use hand sanitizer with at least 60% alcohol if soap and water are unavailable.
- Wear a cloth face covering in public and during large gatherings.



- Cover coughs and sneezes with a tissue, then throw the tissue away.
- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Disinfect surfaces, buttons, handles, knobs, and other places touched often.
- Stay six feet apart from others.
- Avoid close contact with people who are sick.



DSHS recommends that you practice social distancing. Social distancing involves staying away from other people to avoid catching or spreading illness. It's a fancy term for avoiding crowds and minimizing physical contact. This could mean avoiding concerts or weddings, skipping the handshake, and/or staying at least six feet away from others.



Additionally, DSHS and the CDC recommend using simple cloth face coverings in public to help slow the spread of the virus:
Use of Cloth Face Coverings (CDC)



See also the CDC website for more information on what you can do at home to prevent the spread of COVID-19:

[Get Your Home Ready \(CDC\)](#) [Running Essential Errands \(CDC\)](#)

[Prevent Getting Sick \(CDC\)](#) [Social Distancing \(CDC\)](#) [Quarantine \(CDC\)](#) [Isolation \(CDC\)](#)

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How COVID-19 Spreads

Current understanding about how the virus that causes COVID-19 spreads is largely based on what is known about similar coronaviruses.

The virus is thought to spread mainly from person to person:

- Between people who are in close contact with one another (within about 6 feet).
- Through respiratory droplets produced when an infected person coughs or sneezes.
- These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs.
- COVID-19 may be spread by people who are not showing any symptoms.

The virus may also be spread through surfaces:

- By a person touching a surface or object that has virus on it and then touching their own mouth, nose, or possibly their eyes.
- This is not thought to be the main way the virus spreads, but we are still learning more about how this virus spreads.

Download the Stop the Spread of Germs flyer.

Read the latest information from the CDC on how COVID-19 spreads.

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Learn More

To learn key facts and help stop the spread of rumors, see the Share Facts, Not Fear page on the CDC's COVID-19 website.

For more in-depth information on COVID-19, see the CDC's Frequently Asked Questions (FAQs).

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Contact Us

If you have any questions or would like more information about COVID-19, contact us by email or by phone:

Email: coronavirus@dshs.texas.gov

Phone:* Dial 2-1-1, then choose Option 6.

Hours: 24/7

**If you experience difficulty when dialing 2-1-1, please email coronavirus@dshs.texas.gov.*

For local assistance, see the listing of **Coronavirus Disease 2019 (COVID-19) Local Health Entities**.

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This page is being updated as new information becomes available.

Last updated August 17, 2020

EXHIBIT 25

Texas reports less than 5,000 people hospitalized with COVID-19 for the first time since June

4,907

Texans are in the hospital for the coronavirus as of **Aug. 25 — 1,303 less** than a week ago. They occupy **9%** of hospital beds.

6,091

new cases were reported on **Aug. 25**. The latest positivity rate — the percentage of positive cases to molecular tests conducted over seven days — is **15.4%**.

11,576

Texans have died as of **Aug. 25 — 181 more** deaths reported than the day before and **1,326 more** than a week ago.

BY TEXAS TRIBUNE STAFF

PUBLISHED: APRIL 14, 2020 UPDATED: AUG. 25, 2020



The Texas Tribune is using data from the [Texas Department of State Health Services](#) to track how many people have tested positive for the novel coronavirus in Texas each day. The state data comes from 57 city and county health departments, about 600 hospitals and 340 laboratories and the state vital records registration. It may not represent all cases of the disease given limited testing.

In order to publish data quickly, the state has to bypass what is normally a months-long process of reviewing the COVID-19 data and performing quality checks before publishing. That's why all of these numbers and information are [provisional and subject to change](#).

Under Gov. Greg Abbott's plan to revive the economy, businesses started reopening in May. But he paused further reopening plans and scaled back others in June, telling one TV station he regretted reopening bars too quickly.

As hospitalizations increased dramatically in June and July, Abbott issued a statewide mandate requiring most Texans to wear a mask in public spaces, which experts say may have led to a plateauing of cases and hospitalization levels. Recently, the numbers have dropped to levels not seen since June.

To get The Texas Tribune's coronavirus coverage in your inbox, sign up for our daily coronavirus newsletter.

What you should know:

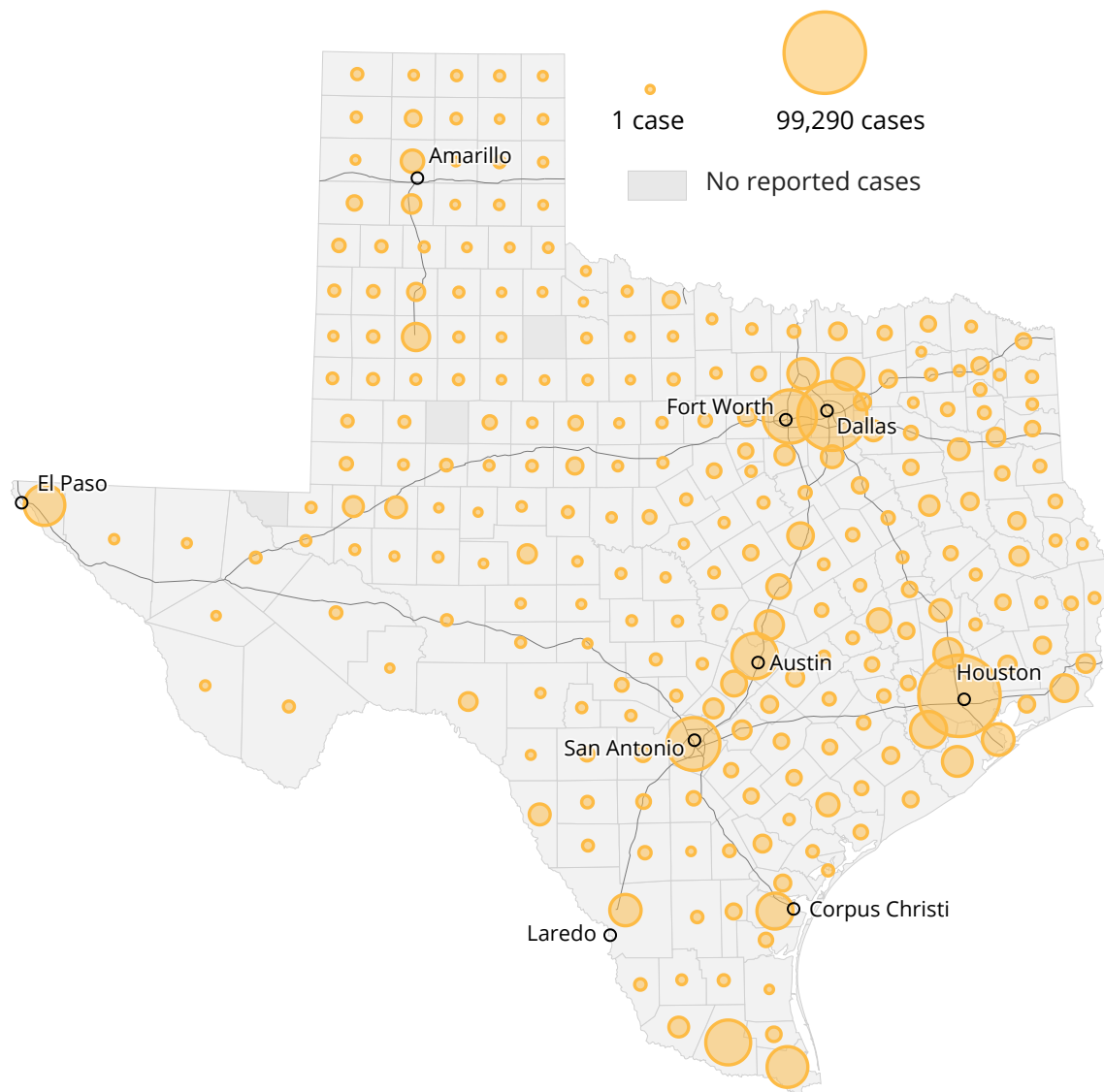
- **Today we're seeing:** The state was unable to update its testing numbers Monday because of a power outage affecting multiple state agencies. "Not all labs were able to report test results through the electronic lab reporting system," DSHS said in a tweet.
- Hospitalizations have been on the decline after record highs in July but are still higher than levels in early June. Daily new cases also continue to drop. Meanwhile, the state has averaged about 200 new COVID-19 deaths a day in August.
- **Also worth noting:** Several labs have submitted large backlogs of tests to the state, which could not have been added until coding errors were fixed and a system update was complete.
- This backlog of tests has identified thousands of previously unreported cases in Dallas, Fort Bend, Montgomery and Nueces counties. They are now reflected in the totals for those counties but were not added to their daily new case counts. See our notes about the data for more information.
- As these tests have come in, the state's positivity rate has also dropped sharply from an all-time high.

Where are most of the cases in Texas?

On March 4, DSHS reported Texas' first positive case of the coronavirus, in Fort Bend County. The patient had recently traveled abroad. A month later on April 4, there were 6,110 cases in 151 counties. As of **Aug. 25**, there are **586,730** cases in **251** counties. The Tribune is measuring both the number of cases in each county and the rate of cases per 1,000 residents.

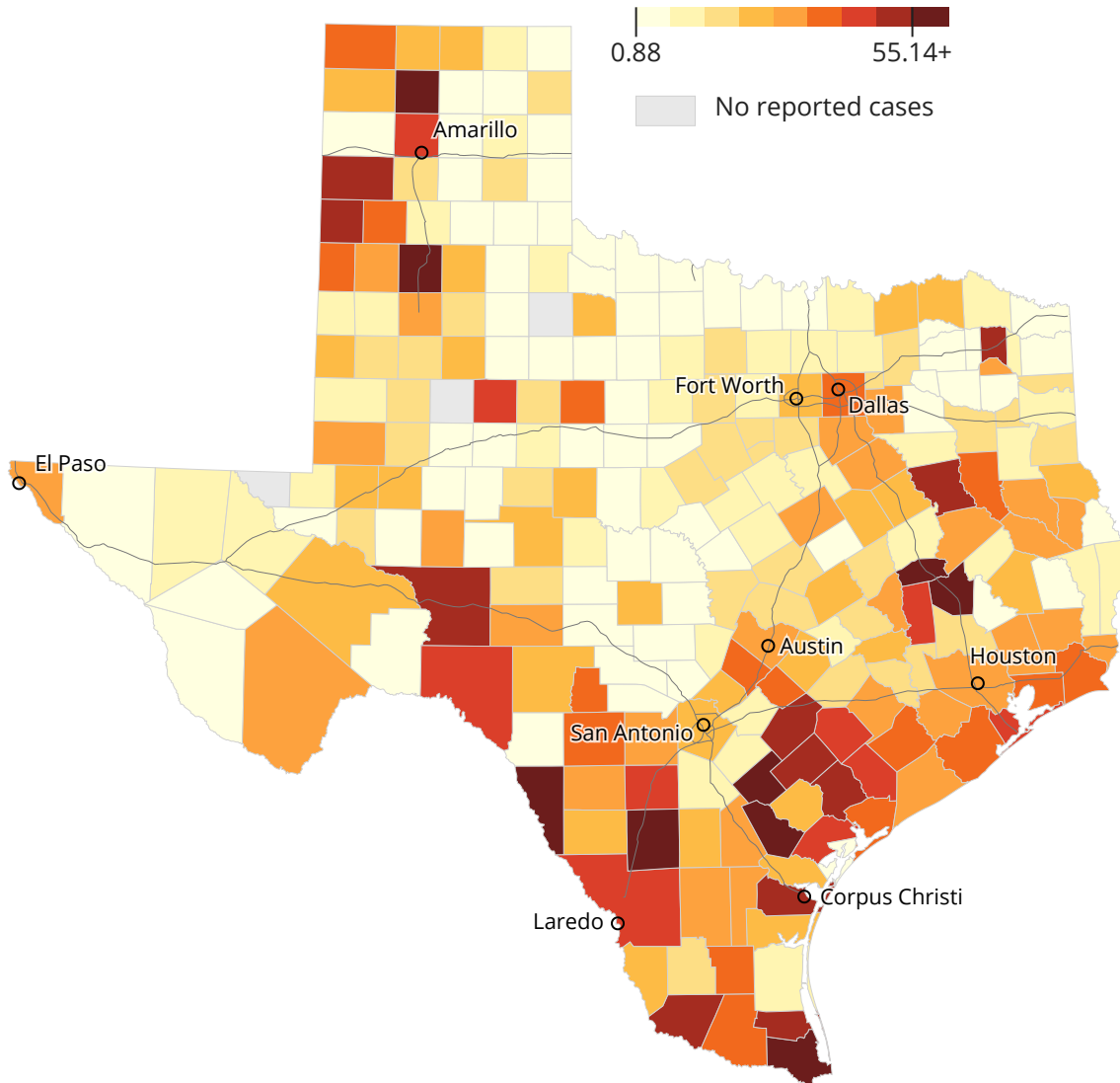
Number of cases

Harris and Dallas counties, the two largest in the state, have reported the most cases and deaths.



Cases per 1,000 residents

The rate of cases per 1,000 residents is especially high in the Panhandle's Moore County, where infections were tied to a meatpacking plant, and in counties with state prisons such as Walker and Jones. Newer hotspots emerged in South Texas and the Coastal Bend — Nueces County, home to Corpus Christi, had one of the fastest growing outbreaks in July.



COUNTY	NUMBER OF CASES	CASES PER 1,000 PEOPLE	DEATHS
Harris	99,290	21.57	2,072
Dallas	69,086	26.71	899
Tarrant	37,924	18.77	570
Bexar	37,060	19.24	1,007
Travis	25,890	21.52	338
Hidalgo	25,169	29.63	995
Cameron	19,862	47.09	668

COUNTY	NUMBER OF CASES	CASES PER 1,000 PEOPLE	DEATHS
El Paso	19,622	23.42	395
Fort Bend	14,640	19.80	220
Nueces	14,584	40.46	248
▼ SEE ALL COUNTIES (251)			
Statewide	586,730	20.44	11,576

How many people are in the hospital?

On April 6, the state started reporting the number of patients with positive tests who are hospitalized. It was 1,153 that day and **4,907 on Aug. 25**. This data does not account for people who are hospitalized but have not gotten a positive test.

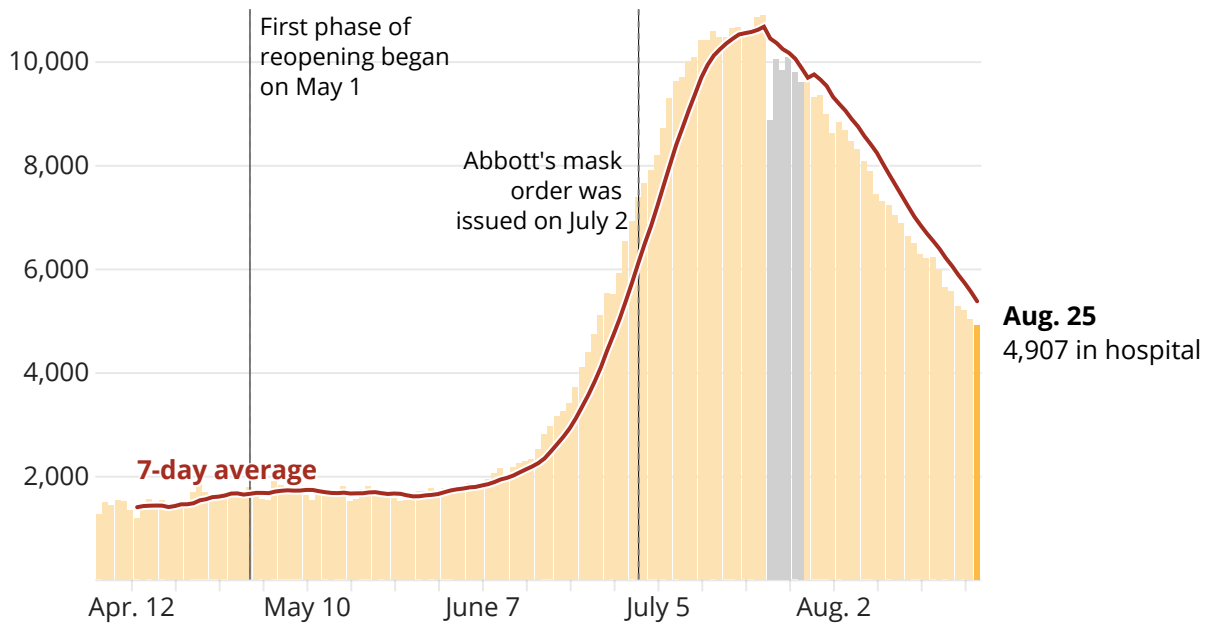
From July 23 to July 28, between 9% and 18% of hospitals reported incomplete hospitalization numbers due to changes in reporting to meet federal requirements.

Experts say there's a lag before changes in people's behaviors, like more social interaction, are reflected in coronavirus case data. It takes about **nine to 16 days** to see increased infections and generally another **five to seven days** to see changes in the numbers of people hospitalized, said Rebecca Fischer, an infectious disease epidemiologist at the Texas A&M University School of Public Health. (Some individuals are only diagnosed once they make it to the hospital.)

Total current hospitalizations

The state says roughly **2% to 6%** of Texas hospitals do not report hospitalization data each day. The average number of hospitalizations reported over the past seven days shows how the situation has changed over time by deemphasizing daily swings.

9% or more of hospitals reported incomplete data, falling outside of the typical range of missing data



Note: From July 23 to July 28, between 9% and 18% of hospitals reported incomplete hospitalization numbers due to changes in reporting to meet federal requirements.

On **Aug. 25**, the state reported **13,037** available staffed hospital beds, including **1,355** available staffed ICU beds statewide. COVID-19 patients currently occupy **9%** of total hospital beds. In late April, Abbott ordered hospitals to reserve 15% of beds for COVID-19 patients.

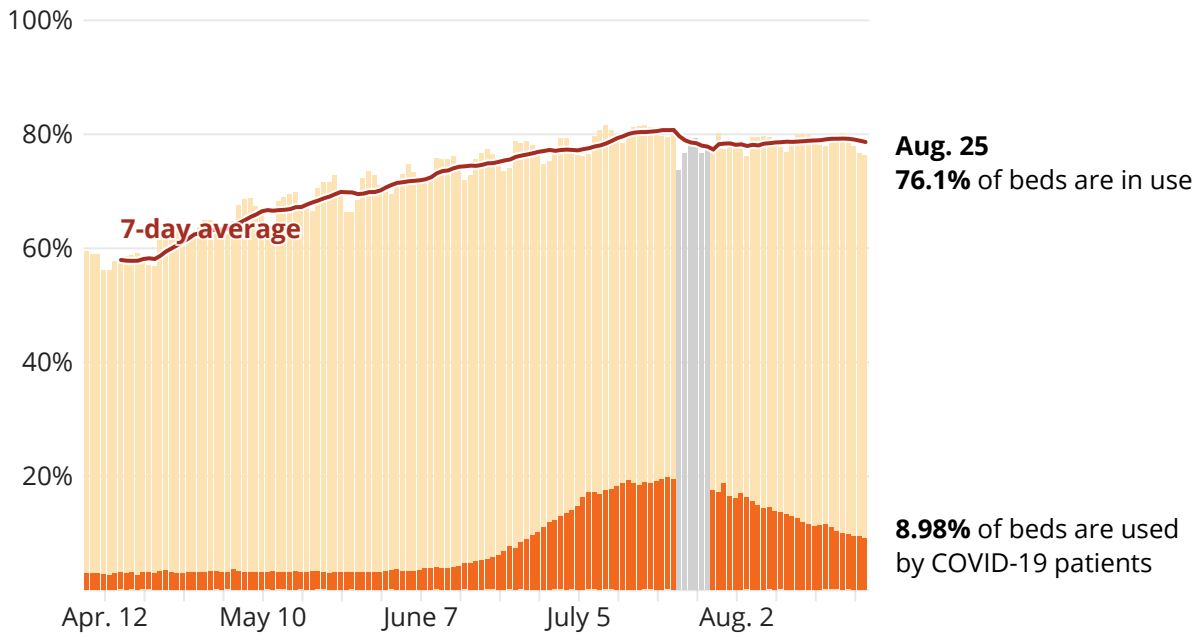
According to DSHS, these numbers do not include beds at psychiatric hospitals or other psychiatric facilities. They do include psychiatric and pediatric beds at general hospitals, and pediatric beds at children's hospitals.

Hospital beds in use each day

The percentage of hospital beds in use shows the strain the coronavirus can put on Texas hospitals.

Beds in use Used by COVID-19 patients

9% or more of hospitals reported incomplete data, falling outside of the typical range of missing data

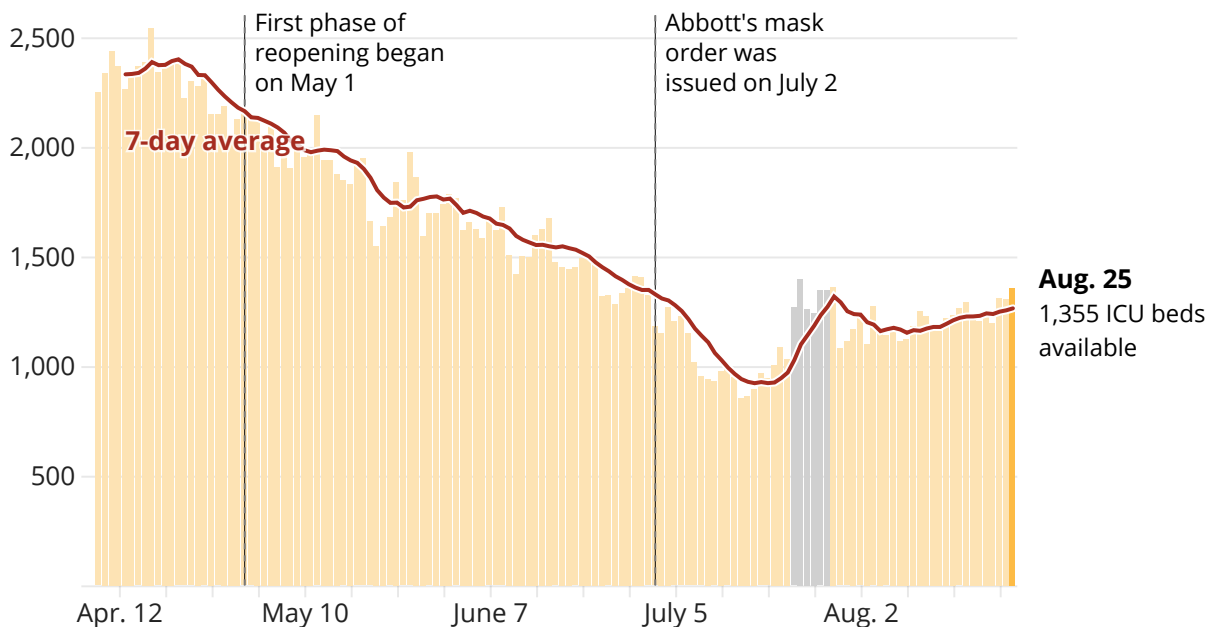


Note: Total beds reported count beds that are staffed and ready for care, including ICU beds. From July 23 to July 28, between 9% and 18% of hospitals reported incomplete hospitalization numbers due to changes in reporting to meet federal requirements.

ICU beds available

On April 9, the state started reporting the number of intensive care unit, or ICU, beds available in Texas hospitals. These specialized beds cater to patients with the most life-threatening conditions and include equipment such as ventilators and heart rate monitors. ICU units also have staff who are trained to care for the critically ill.

9% or more of hospitals reported incomplete data, falling outside of the typical range of missing data



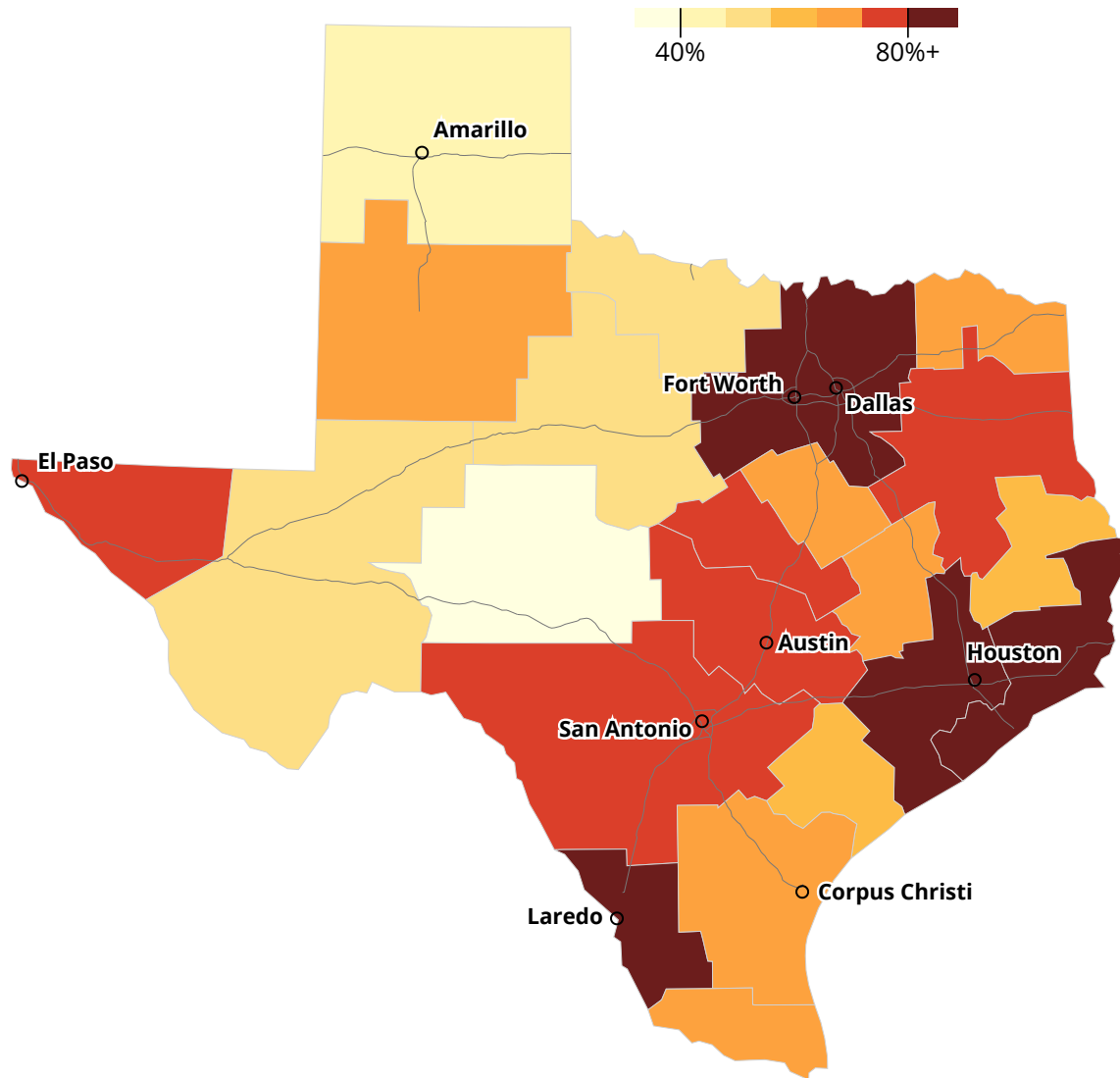
Note: DSHS does not release the total number of ICU beds in the state as part of their daily update, making percentages difficult to calculate. Some hospitals have had to add ICU beds because of the influx of new patients, which [can be expensive](#). From July 23 to July 28, between 9% and 18% of hospitals reported incomplete hospitalization numbers due to changes in reporting to meet federal requirements.

Regional differences exist in the availability of beds. In the Rio Grande Valley, the increase in cases in July [stretched hospital staff](#), while in Houston some hospitals had to turn away patients because of [overcrowded emergency rooms](#).

“One of the most critical measures of the ferocity of the COVID virus is the use of intensive care unit beds,” said Britt Berrett, a healthcare management professor at the University of Texas at Dallas. “Healthcare professionals will need to be vigilant in monitoring the time it takes from diagnosis in the emergency room to treatment and admission into the ICU bed.”

Hospital beds in use by region

The percentage of hospital beds in use for each [trauma service region](#) shows how the virus is currently impacting hospitals in different parts of the state. These regions are administered by Regional Advisory Councils (RACs).



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How many people have died?

The [first death](#) linked to the coronavirus in Texas occurred March 16 in Matagorda County. As of **Aug. 25**, **11,576** people who tested positive for the virus have died.

The rate of deaths in Texas has been accelerating. It took 53 days to get from the first death to [1,000 deaths](#) and 39 days to get from 1,000 to 2,000 deaths. On July 10, the state surpassed 3,000 deaths — 24 days after [2,000 deaths](#) were reported. It [took only 10 more days](#) for Texas to reach 4,000 deaths and [only 6 days after that](#) to reach 5,000. More than 4,000 new deaths have been reported just in the month of August, surpassing 10,000 total deaths mid-month.

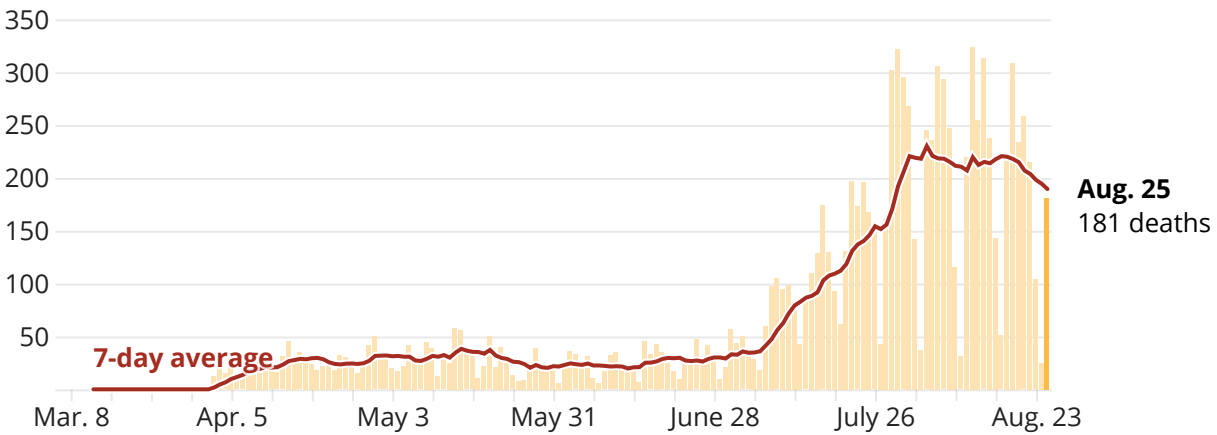
On July 27, DSHS began reporting deaths based on death certificates that state the cause of death as COVID-19, instead of relying on counts released by local and regional health departments. On that date, the state added more than 400 previously unreported deaths to the cumulative total. This does not include the deaths of people with COVID-19 who died of an unrelated cause. Death certificates are required by law to be filed within 10 days.

Because of this change in how they are reported, it's impossible to compare the rate of deaths before and after July 27. But since then, the number of deaths has regularly been around 1,500 a week.

Experts say the official state death toll is likely an undercount.

New deaths from coronavirus reported each day

The average number of deaths reported over the past seven days shows how the situation has changed over time by deemphasizing daily swings.



Note: On July 27, the state began reporting deaths based on death certificates that state COVID-19 as the cause of death. On that day, more than 400 previously unreported deaths were added to the total death toll due to the reporting change. [See notes about the data.](#)

How have the number of cases increased each day?

The state only tracks confirmed cases of the coronavirus, not probable cases, based on [criteria](#) published by the Centers for Disease Control and Prevention. However, DSHS may still accidentally include probable cases for certain counties. When found, [they are removed](#).

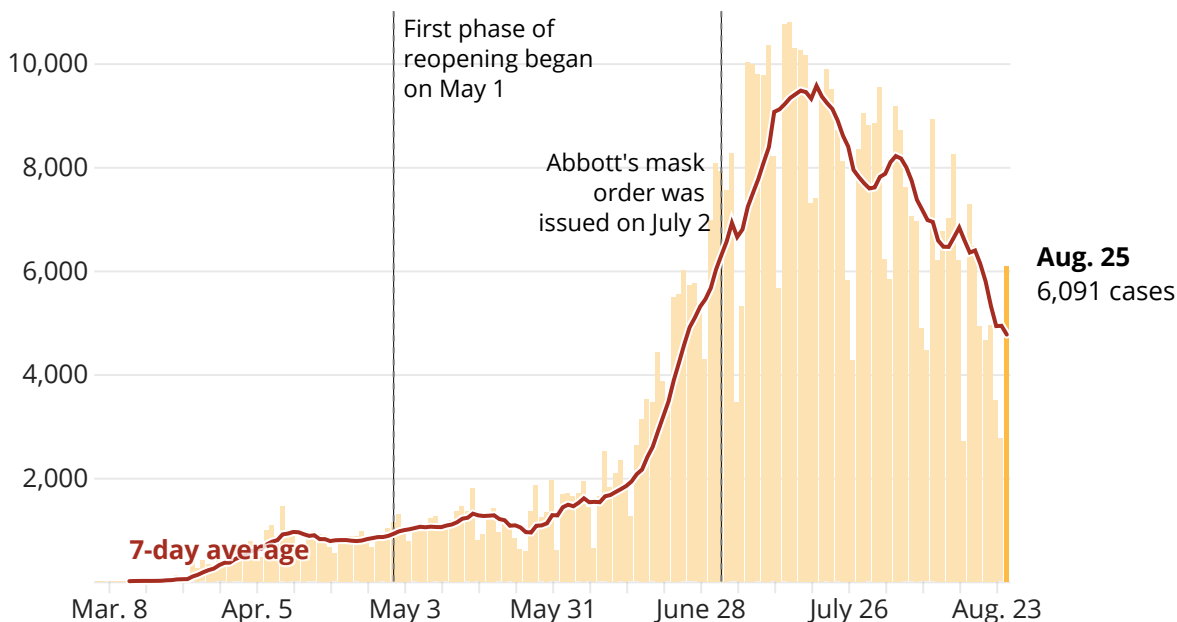
Because the state does not include probable cases, these numbers don't include the results from tens of thousands of rapid-result [antigen tests](#), which suggests the state is vastly underreporting the number of Texans who have tested positive for the virus. Antigen tests are taken by nasal or throat swab like other viral tests, but results are much faster.

Increases in testing have led to more detected cases. In May, a large one-day spike was reported after [testing was done at meatpacking plants](#) in the Amarillo region. Delays and backlogs in reporting can also create one-day surges, when cases from multiple days are added on the same day.

In June, the number of new cases each day trended dramatically upwards, before dropping in late July. Abbott issued his mask order on July 2.

New cases of coronavirus each day

The average number of cases reported over the past seven days shows how the situation has changed over time by deemphasizing daily swings. The number of new cases reported drops on weekends, when labs are less likely to report new data to the state.



Note: On March 24, the state changed how it reported numbers resulting in a sharp increase in cases. [See notes about the data.](#)

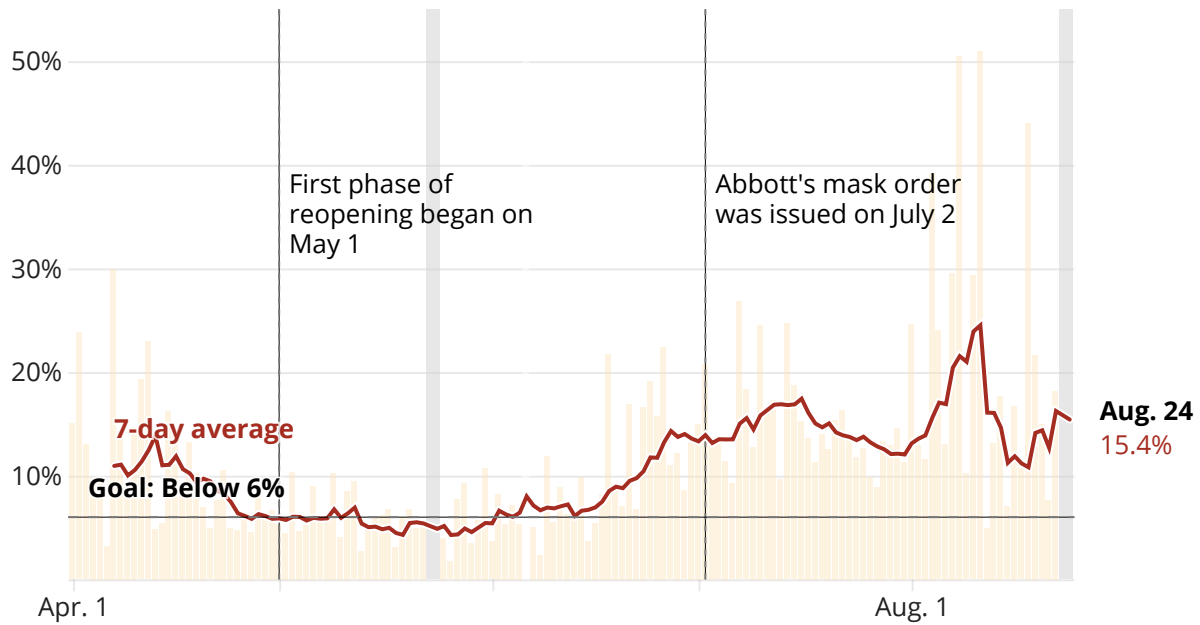
How has the positivity rate changed?

Gov. Greg Abbott said he is watching the state's positivity rate — the percentage of positive cases to tests conducted. The average daily positivity rate is calculated by dividing the seven-day average of positive cases by the seven-day average of tests conducted. This shows how the situation has changed over time by de-emphasizing daily swings. Public health experts want the average positivity rate to remain [below 6%](#).

In early May, Abbott said a rate over 10% would be a [“warning flag.”](#) The state exceeded that mark in June for the first time since April.

7-day average for the positivity rate

Positivity rate is not shown because the state did not release viral testing data



Note: Antibody tests were included in the new total tests counts for each day before May 14. Previously, the state had counted about 50,000 total antibody tests as virus tests, artificially deflating the positivity rate. [See notes about the data.](#)

In early August, DSHS started breaking viral tests out into molecular and antigen tests on their site. They also stopped including antigen tests when calculating their positivity rate and instead started using only molecular tests.

According to the [Food and Drug Administration](#), molecular tests, or PCR tests, "detect the virus's genetic material" and are very accurate. Antigen tests detect proteins on the virus and are typically faster, but can be less accurate and produce false negatives.

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How many people have been tested?

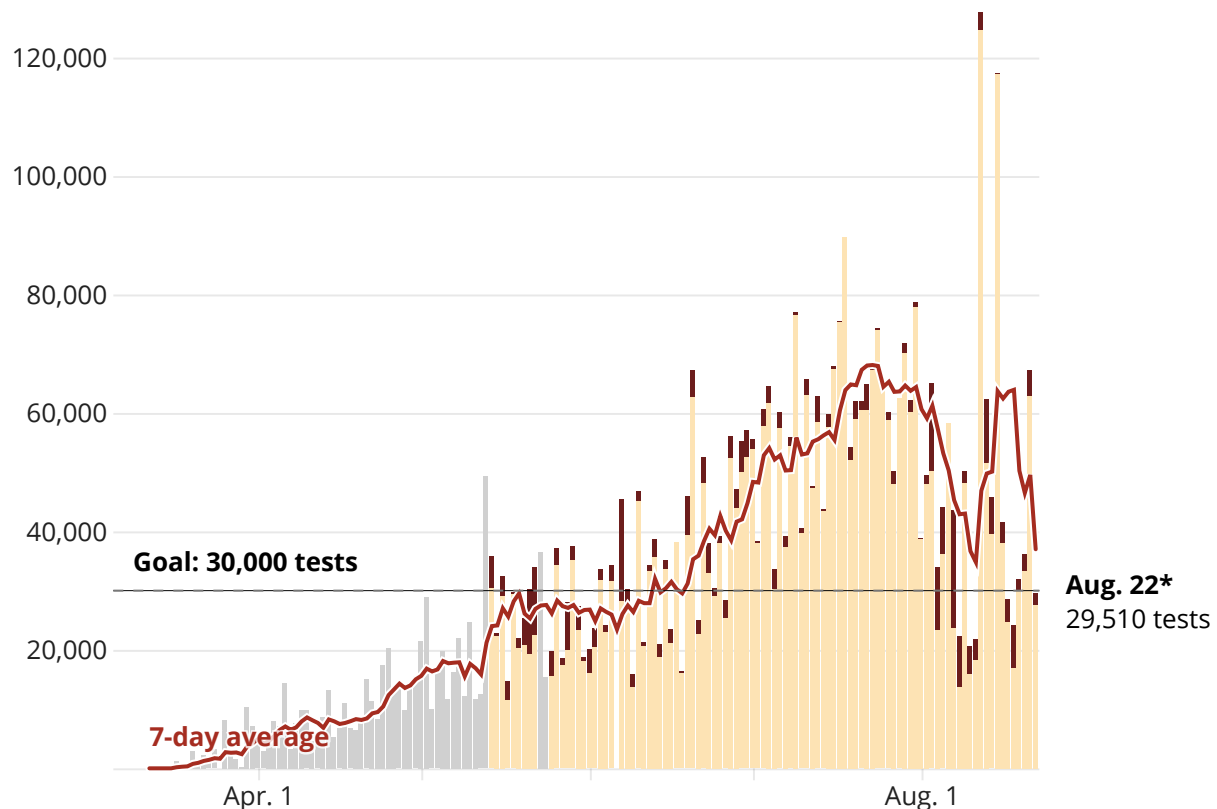
As of **Aug. 25**, Texas has administered **5,135,385** tests for the coronavirus since March. We do not know the number of Texans who have gotten a test because some people are tested more than once. Tests from private labs, which make up the majority of reported tests, are not deduplicated. The state's tally also does not include pending tests.

Coronavirus test results reported to the state each day

The average number of tests reported over the past seven days shows how the situation has changed over time by deemphasizing daily swings. In April, Abbott set a goal of 30,000 daily tests in the state.

Viral tests (molecular and antigen) Antibody tests

The state did not release the breakdown of tests



Note: *On August 24, the state was unable to update its testing numbers because of a power outage affecting multiple state agencies. This affected new tests counts calculated for August 23 and August 24. Antibody tests were included in the new total tests counts for each day before May 14. The state broke out the number of new daily antibody and viral tests after that date. [See notes about the data.](#)

The DSHS data also might not include all of the tests that have been run in Texas. The state has said it is not getting test data from every private lab, and as of mid-May only 3% of tests were coming from public labs. The state has since stopped differentiating between tests reported by public and private labs.

Even as [demand for testing](#) has increased, both public and private labs continue to prioritize Texans who meet certain criteria, but every private lab sets its own criteria.

On May 21, DSHS disclosed for the first time that as of a day earlier, it had counted 49,313 antibody tests as part of its "Total Tests" tally. That represents 6.4% of the 770,241 total tests that the state had reported on May 20. Health experts have warned against counting antibody and standard viral tests together because they are distinctly different tests. Antibody tests detect whether someone was previously infected, while standard viral tests determine whether someone currently has the virus.

Antibody tests are typically reported a day late.

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How is this impacting Texans of color?

The limited data released by state health officials offers a murky glimpse of the virus' impact on Texas communities of color. Race and ethnicity are reported as unknown for a significant portion of the completed case reports. (Agency officials said some people prefer not to provide the information.)

On July 27, the state released complete demographic data, including race and ethnicity, for coronavirus deaths after changing its method for counting deaths to rely on death certificates. The data shows that Hispanic Texans make up roughly 48% of the total deaths, but only 40% of the state's population.

Case data gathered various parts of the state shows the disproportionate impact of the virus on Black and Hispanic neighborhoods. The areas with the highest positivity rates in Harris County are predominantly Hispanic, according to a UTHHealth School of Public Health analysis. In Dallas County, lower-income Black communities have also reported some of the highest positivity rates.

Although state leaders acknowledge the demographic data for cases and tests is lacking, they have indicated the state won't be taking steps to mandate reporting to fill in the gaps. In June, the state announced they are planning on ramping up testing in areas of the state that are predominantly Black and Hispanic, as well as launching a study on the coronavirus' effect on vulnerable populations.

What else should I know about this data?

These numbers come from the Texas Department of State Health Services, which updates statewide case counts by 4 p.m. each day. The data is from the same morning, and it may lag behind other local news reports.

The state's data includes cases from federal immigration detention centers, federal prisons and starting in mid-May, some state prisons. It does not include cases reported at military bases.

From March 13 through March 24, the Tribune added cases from Lackland Air Force Base in San Antonio, where hundreds of American evacuees from China and cruise ships were quarantined.

Those case counts came from the Centers for Disease Control and Prevention.

Notes about the data:

On **March 24**, the state changed how it reported numbers resulting in a sharp increase in cases.

Antibody tests were included in the new total tests counts for each day before **May 14**. Previously, the state had counted about 50,000 total antibody tests as virus tests, artificially deflating the positivity rate.

After a system upgrade on **June 7** resulting in incomplete test data, the state revised the test numbers for June 6 to show a decrease in total viral tests. As a result, the daily positivity rate for **June 6** was incalculable because there were no new viral tests reported.

On **June 16**, the state included 1,476 cases previously reported by the Texas Department of Criminal Justice from Anderson and Brazoria County in its cumulative case count. The new cases for June 16 do not include those cases.

On **July 17**, the state received about 5,268 additional cases from Bexar County. The state only included 608 of those cases as new confirmed cases for that day and added the rest to the cumulative count.

On **July 19**, the state removed 3,676 duplicate antibody tests from the previous day's total.

From **July 23 to July 28**, between 9% and 18% of hospitals reported incomplete hospitalization numbers due to changes in reporting to meet federal requirements.

On **July 25**, the state removed 2,092 probable cases from the Corpus Christi-Nueces County Public Health District that had been previously included in the cumulative case count.

On **July 27**, the state began reporting deaths based on death certificates that state COVID-19 as the cause of death. On that day, more than 400

previously unreported deaths were added to the total death toll due to the reporting change.

On **July 30**, the state said an “automation error” caused approximately 225 deaths to be incorrectly added to the overall death count; a subsequent quality check revealed COVID-19 was not the direct cause of death in these cases. We updated the cumulative numbers for July 27-29 to account for this error. The automation error also caused us to incorrectly state the percentage of Hispanics who have died of COVID-19 and the number of previously unreported deaths on July 27. These have been corrected.

On **August 3**, the state removed 536 duplicate confirmed cases from the overall cases count for Bexar County. Bexar County reported 471 new confirmed cases on this date.

On **August 7**, DSHS started breaking viral tests out into molecular and antigen tests on their site. We’ve combined the two to come up with the total number of viral tests. On **August 10**, DSHS stopped including antigen tests when calculating their positivity rate and instead started using only molecular tests. The Tribune has switched to this method and adjusted its daily positivity rates. The seven-day averages for positivity rates before August 13 include both molecular and antigen tests. Rates afterwards include only molecular tests.

On **August 7**, DSHS reported that some molecular tests had been miscoded, inflating the number of antibody tests over the previous couple of days. This was corrected, resulting in the number of antibody tests to decline from the 6th to the 7th. Because a breakdown of these tests is not available, the charts are showing the inflated numbers on those days.

On **August 10**, the number of new cases reported did not include new cases from Nueces County due to a “large backlog of positive lab reports” that the county was working through.

In mid-August, several labs submitted large backlogs of tests to the state, which could not have been added until [coding errors](#) were fixed and a system update was complete. This caused several changes to the data:

- On **August 13**, the state reported a record number of tests. Of those 124,000 tests, approximately 95,000 were from one lab serving several hospitals.
- Thousands of previously unreported cases were added to the statewide total over the course of several days. On **August 17** and on

August 19, the state added a backlog of 5,195 and 550 positive cases, respectively, from Dallas County to the total. On **August 20**, the state added 44 cases from Dallas County and 336 from Fort Bend County. On **August 21**, the state added 206 cases from Dallas County and 164 from Montgomery County. On **August 22**, the state added 459 cases from Dallas County, 134 cases from Montgomery County and 23 cases from Nueces County. On **August 23**, the state added 862 cases from Dallas County and 43 cases from Nueces County. On **August 24**, the state added 93 cases from Dallas County. On **August 25**, the state added 84 cases from Dallas County and 171 cases from Montgomery County. In all instances, these cases were not added to the daily new case count.

On **August 24**, the state was unable to update its testing numbers because of a power outage affecting multiple state agencies. This affected new tests counts calculated for August 23 and August 24.

Carla Astudillo, Mandi Cai, Darla Cameron, Chris Essig, Anna Novak, Emily Albracht and Alexa Ura contributed to this report.

Previously, The Texas Tribune incorrectly stated our formula for calculating the average daily positivity rate. This has been corrected.

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