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As Trump, Hogan discuss November election, local director details preparations

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Stuart Harvey has been involved in helping run elections for three decades, but the November presidential election poses challenges he's never seen before, thanks to the coronavirus pandemic.

Harvey, the county's Election Director, wrote in an email Friday that typically, Frederick County has 900 election judges manning all the county's polling places during a presidential general election. But he's advising the county's Board of Elections that because of the pandemic, less polling places should be used, both because of lower staffing levels and private locations being closed.

Normally, one polling place is required per precinct, but in an emergency and with the state Board of Elections' approval, that can be changed, Harvey said.

Gov. Larry Hogan (R) has called for the November election to proceed in a more normal fashion than the primary in June, saying more polling places should open and early voting days should be held. He did so, in part, because of frustration at the haphazardness of the primary in some locations, including in Baltimore.

The state Board of Elections agreed in a meeting in July to not hold a "traditional election," but couldn't agree on whether it should run like the primary, or if more polling places should open.

"This is a two-tier election, unlike any I've conducted in 30 years," Harvey wrote in an email about this November's election. "We are encouraging vote-by-mail for voters, at the same time we're being asked to open the polling places on Nov. 3 and also conduct eight days of early voting. That puts a huge strain on a very small staff."

Harvey added personal protective equipment is provided at his office and at the polls, but election judge training must be done using social distancing, creating logistical issues and potentially exposing those people to the virus.

Walter Olson, a fellow at the Cato Institute and constitutional scholar, said the power of election law and procedures is mostly in the hands of state and local governments.

The state's General Assembly could call a special session to try and change Hogan's plan, Olson said. Regardless of what happens in Maryland, each state's ability to run its election differently is good government, Olson said.

"If the federal government had taken over a lot of power in election procedure, it could abuse that power," Olson said. "You wind up with that inconsistent practice ... [but] it means that the power is decentralized, and that's good thing."

Moving forward, Harvey said he would prefer to run the November election like the primary held in June. Safety is a key part of that, as only 1,341 residents voted in person at two voting centers on June 2, he said.

Harvey said if he and other local officials have to follow Hogan's plan, voters might throw away applications for mail-in ballots they would receive by mail in late August or early September. That could lead to many people voting in person in November, crowding the polls, he added.

"Because the governor has ordered that all polls be open on Election Day, he risks the safety of staff, election judges and the public," Harvey wrote. "The State Board unanimously agreed that we should not have a normal, in person election this November. My fear is that November 3 in Maryland may look like the Wisconsin or Georgia primaries this year, both of which were election disasters."