

October 6, 2020

County Clerks and Election Administrators,

Wearing masks is an important component of Indiana's successful response to COVID-19 and something we must be sensitive towards this election season. While we are fortunate that we can conduct a routine and traditional election this fall, it is important for poll workers and election staff to be mindful and conscious of our current climate during these unprecedented times.

It is likely that during the upcoming election, poll workers and election staff will encounter voters who refuse to wear face coverings. When an individual is unmasked, they should be socially distanced in the polling place. However, a voter should never be turned away for refusing to wear a face covering or maintain social distancing.

When conducting poll worker training, it is important to emphasize that the health of poll workers remains protected even if a voter refuses to wear a face covering. Informing and assisting the voter, de-escalating the situation, providing alternative processes, and quickly servicing the voter, all while maintaining a social distance will keep poll workers safe and allow all voters to participate.

In such situations, the poll worker should offer a face mask if the voter doesn't have one. If the voter refuses, poll workers should communicate that their decision to not wear a mask will be respected and that they will still be allowed to vote. In doing so, the voter should be permitted to vote in an area socially distanced from others.

As in all cases of disruption that escalate beyond the control of the poll workers, escalation contact information should be readily available to poll workers at each polling location. Prior to the election, the county election board may designate specific poll workers to perform the duties of the election sheriff.

As a reminder, Indiana law does not allow voters, poll workers, or others to wear clothing, including face coverings, in a polling location displaying logos or names that is considered "electioneering". Per IC 3-14-3-16, "electioneering" includes "expressing support or opposition to any candidate or political party or expressing approval or disapproval of a public question in any manner that could reasonably be expected to convey that support or opposition to another individual." In the event a voter arrives at the polls with a face covering that violates these standards, poll workers may offer an alternate face covering that can be worn in the polling location.

Additionally, election watchers are not exempt from following health and safety guidelines of the polling place. If a watcher does not adhere to the county instructions, county election officials may remove a watcher and should immediately inform the appointing entity and allow that entity an opportunity to replace the watcher. Additionally, face covering and social distance requirements apply to federal election observers from the Department of Justice. Poll workers who refuse to wear a face mask should be asked to resign their position. If the situation escalates, the poll worker can ultimately be removed from the polling location by the county election board.

Once again, it is imperative that poll workers and election staff be patient toward voters and situations that may arise. Although we are in unprecedented times, I have the utmost confidence in our counties that we will carry out a safe and secure election, while protecting Hoosier votes and health.

Sincerely,



Connie Lawson  
Indiana Secretary of State