2020 General Election and Continuity

Elizabeth (Lizz) Floro

Emergency Manager; Continuity, and CIKR Programs

Office of Emergency Management

Elizabeth (Lizz) Floro

Emergency Manager

Continuity, and CIKR Programs

Mayor's Office of Emergency

Management

Elizabeth.floro@denvergov.org

Introduction

Reminders

- The 2020 General Election was one of national heightened emotion; please remember to focus on the continuity aspects of this presentation and <u>not</u> on political candidates or personal beliefs

- I reserve the ability to decline any question due to the security concerns of this topic, and can connect you with our Public Information Officers (PIOs) for further support if requested

Background

By the Numbers: Presidential Primary

For the City and County of Denver 2020 Presidential Primary Election:

- November 2020 had over **450,000 active registered voters** (with an additional approx. 65,000 inactive)

- **Ballots returned: Approx. 400,000**

More information can be found here
https://www.denvergov.org/content/denvergov/en/denver-elections-divison/data-maps.html

By the Numbers: Voting Opportunities

- Mail ballots mailed out the week of October 9th

- Thirty-Eight (38) 24-Hour Ballot Drop-Off Box Locations

- Rotation of Six (6) Haul-N-Votes Mobile Voting Unit Locations (Mobile VSPC) from October 19th- November 3rd

- **35+ VSPC locations** opening across four (4) phases from October 19th- November 3rd, including one with a drive-through ballot drop-off and curbside ballot pick-up service

*VSPC is "Voter Service & Polling Center"

Potential Hazards and Challenges

- **Severe weather** (freezing temperatures; snow; ice)

- **Power outages** (knocking out heat; internet; ballot registration/counting systems)

- **Civil Unrest at sites** (protests blocking access; inappropriate/self-dispatched "security support")

- **COVID-19** (Abiding by COVID-19 protocols; servicing and coordinating with higher risk populations; potential exposures)

- **Acts of Violence** (intimidation; contaminants on ballots; soft target attacks; on-site disruptions)

Roles and Responsibilities

- City and County of <u>Denver</u> Clerk & Recorder's <u>Election Division</u> (DED) is lead for all things "elections"

- The Clerk (Mr. Paul Lopez) is the elected official for DED

- The City and County of Denver's Mayor's <u>Office of Emergency Management</u> (OEM) was requested by DED to support continuity planning for the 2020 election year

- The Mayor (Mr. Michael Hancock) is the elected official for OEM

Roles and Responsibilities

- DED is lead; OEM is support

- Two (2) different elected officials; funding streams; chains of command

- OEM, and any agency under the Mayor, must be extremely mindful of what type of support is provided as to not create perception of influencing election (for or against Mayor; City Council, etc.)

- DED must follow State regulations and align with Colorado Secretary of State for elections

How Did We Do It?

[Mission] Essential Functions

FEMA is revamping their entire continuity program; guidance; trainings. "Mission" has been removed (to translate better to Local and Private Sector language). You may continue to see MEF/Mission Essential Function in materials as this is phased out.

[Mission] Essential Functions

Previously called "Mission Essential Functions" or "MEFs", Essential Functions are the limited set of services or goods an agency provides that must be continued throughout, or resumed rapidly after, a disruption of normal operations.

These functions are the core of continuity planning- they are what you (the agency) does, that makes you, "you".

2020 November General Election EFs

- To conduct Elections in a fair, accurate, accessible, secure, transparent, and efficient manner

- Provide customer service (in-person, over the phone and via email); oversee Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters; process voter registrations and petitions (municipal candidate, initiated ordinance, recall, and charter amendment); and process all data entry into the statewide voter registration database

How Was This Addressed?

Start Early

- Initial conversations and planning between DED and OEM began in 2019; quickly included other agencies

- Emergency Operations Center (EOC) was requested to be activated for November, several months in advance

Plan and Review

- Plan! Plan! Plan!
- Test, Train, Exercise
- Review and Refine
- Plan again

Messaging

- The joint-information-center and City public information officers (PIOs) were activated in support of public messaging campaigns on early voting; and to combat mis- and dis-information campaigns around the election

Orders of Succession

Orders of Succession

Who backfills which role when the primary individual is unable to act within their role?:

- Ex: Mayoral Succession
- Ex: Agency Executive Director Succession
- At least 3 deep

Does not require catastrophes to take effect:

- Executive is at a business conference
- Deputy becomes extremely sick (think: flu season)
- Who is now in charge?

2020 November General Election Challenges

- Who backs up The Clerk?

- How can ballot custody be changed, and by who?

- What is the chain of command at VSPCs?
    At election processing center?
    In case of emergencies?

How Was This Addressed?

Coordination Meetings

- DED would **educate** partner agencies

- DED would **investigate correct paths with their election attorneys, and with CO Secretary of State Office** as needed

Policy Reviews

- DED's agency continuity coordinator (ACC) **continuously reviewed site, emergency, standard operating procedure, and other plans-** revising as necessary

- Generally followed **Delegations of Authority**

Ask the Questions

- DED **maintained an open and supportive attitude towards any inquiry** from supporting agencies (OEM, City Attorney Office, Dept of Finance Real Estate, General Services, Technology Services, and more)

Delegations of Authority

Delegations of Authority: FEMA Talk

- Gives the authority to carry out *specific* functions.

- Existing laws, policies, and procedures are main source for the scope of authority. Additional authority can be delegated as necessary.

- Does NOT relieve the granting authority of the ultimate responsibility for the incident. Authority can be delegated; responsibility cannot.

Delegations of Authority

Who has the *authority*, written and in appropriate systems or by law, to make which decisions?:
- Ex: Financial
- Ex: Personnel (Travel, Time Off)
- Ex: Internal Decision Making

Orders of Succession does not *automatically* grant authority
- Example: A manager temporarily in charge of a team may not have the Kronos authority to approve PTO requests

2020 November General Election Challenges

Asset Custodianship: ballots; ballot processing machines; election judge equipment (laptops; internet pucks etc.)

- Who can touch, when?

- What if there is a physical emergency (hazmat; fire in building; act of violence)?

- How can custodianship be exchanged? (Hazmat– Fire responds; FBI investigates; how are ballots handled?)

2020 November General Election Challenges

Site Closures: A handful of VSPCs are <u>required by law</u> to be open/available in specific communities

- Who has authority to close, open, or defer to another site?

- What criteria must be met for this decision (each type of decision?)

How Was This Addressed?

Colorado SOS

- Colorado Secretary of State leads most delegation of authority laws, regulations, guidance

Scenario Specific

- A water pipe burst vs. a contaminant on a ballot vs. an active shooter– each has own delegations of authority involved

Documentation

- Standard Operating Procedures; guides; just-in-time training for election staff and volunteers

Alternate Facilities

Alternate Facilities

- Alternate worksite locations, facilities, or platforms

- What are the physical, technological, equipment, human resource requirements for working at that site?

- Virtual vs. Hardcopy; Remote vs. In-Person

- It either exists in your budget already, or a contract– or it doesn't exist at all!

2020 November General Election Challenges

- **Thirty-Eight (38**) 24-Hour Ballot Drop-Off Box Locations

- **Rotation of Six (6)** Haul-N-Votes Mobile Voting Unit Locations (Mobile VSPC) from October 19th- November 3rd

- 35+ VSPC locations

- Disability; Access and Functional Needs

- Equitable Community Outreach

- COVID-19 Protocols and Risks

- Voter Intimidation; Acts of Violence; Severe Weather; Utility Outages

How Was This Addressed?

Coordination

- DED, OEM, DOF-Real Estate, GS-Facilities, TS, OHR **met repeatedly in 2019 to coordinate and support alternate facility planning, and strengthening of primary sites** to prevent the need for moving

- Large generator; fuel; quick connects/ electrician support on standby

Additional Sites

- DED **acquired additional VSPC sites over the minimal mandated** requirement as a "buffer" in case a site had to be closed

- Box Truck, crew, cache of equipment, contracts for emergency State approved equipment all on standby

Mobile Voting

- **The Mobile Voting Unit** could be redeployed in support of any site that went down

- Thanks to grant funding supported by OEM's Finance and Admin Team, a state-of-the-art **new mobile voting unit** was acquired ahead of the 2020 General Election

Interoperable Communications

Communications

Continuity Communications: How will you communicate with leadership, staff, clients, and the public…
- If your phone system is down?
- If your email or network is down?
- If you need to relocate services?

Do you have:
- Securely stored staff rosters?
- Securely stored clientele contact information?

Have you trained staff on this?

2020 November General Election Challenges

- Mis- and Dis- information campaigns

- Equitable outreach including, but not limited to, multiple languages; communities without strong tech opportunities; disabilities/access and functional needs

- National spotlight on Colorado (Denver) processes

How Was This Addressed?

Hard Copy Mail

- Mail ballots

- Flyers prompting registration; vote site information

- Multiple language support as available

- Signs at VSPCs (COVID-19 protocols, etc.)

Website

- DED maintained public facing information and voting support via its City website

JIC

- The Joint-Information-Center and City public information officers (PIOs) were activated in support of public messaging campaigns on early voting; and to combat mis- and dis-information campaigns around the election

DENVER
THE MILE HIGH CITY

CONNECT WITH US   311 | POCKETGOV | DENVERGOV.ORG | DENVER 8 TV

Vital Records and Resources

Vital Records and Resources

- Ballots!

- Ballot counting machines

- Chain of custody documentation

- Voter registration information

2020 November General Election Challenges

- Asset Custodianship- Who can touch what, when?

- COVID-19- Why is anyone touching anything?

- Cybersecurity- electronic records and resources; mandates to use systems (State) not owned, managed, or regulated by us (Local)

How Was This Addressed?

Coordination

- Planning calls with local, state, and federal partners- specifically to emergency response (powder on ballots; fire in building; active shooter etc.)

Protective Equipment

- Masks

- Gloves

- Hand sanitizer/Hand washing stations

- Physical distance

- Excess of Equipment

Cybersecurity

- Calls with State

- Training

- System updates

- IT monitoring (local and state)

Human Resources

Human Resources

- Lead team for coordinating **staff crisis support** (Employee Assistance Program-EAP; surge counseling contracts; etc.)

- Employer/Employee **laws still apply**!

- **Disability; Access and Functional Need** support-accommodations both new and continued

- **"Human Aspect"** in an Emergency

2020 November General Election Challenges

- Maintaining COVID-19 requirements (physical distance). Everyone must be 6ft apart, how long will the line be out the door?

- Volunteers/Election Judges are often higher risk (age or medical)

- What if someone shows up self-admitting to being COVID-19 positive?

- How do we support Disability; Access and Functional Needs accommodations- while still keeping distance?

How Was This Addressed?

DDPHE/CDPHE

- Consulted with Denver Department of Public Health and Environment; Colorado Department of Public Health and Environment on COVID-19 response protocols

OHR/DOF Risk

- Partnered with Denver Office of Human Resources and Dept of Finance-Risk Management on safety plans; resources

Employee Outreach

- Internal campaign to promote City Employees to be Election Judges

- Increased signage; available PPE and other equipment

Test, Train, and Exercise

2020 November General Election

- In August, the Clerk & Recorder's Office held a tabletop exercise (TTX) to run through their standard operating procedures, potential hazards/challenges, and identify outstanding action items in preparation for VSPCs opening

- DED invited OEM to observe and consult participants from an EOC/City response perspective

How Do You Know Your Plan Is Viable?

TEST: Think of a "pass/fail" evaluation, on individual components or comprehensive systems.

Example: Can the new fire alarm be heard throughout the building? Do the speakers need to be adjusted or wiring inspected?

TRAIN: Teach your people what to do; how systems/equipment/processes should work and so forth.

Example: Present the new fire system, then walk the audience through the fire escape route to the evacuation meetup spot

EXERCISE: An event or activity delivered through discussion or action to develop, assess, or validate capabilities to achieve planned objectives.

Example: Run a fire drill with the new fire system and personnel

Homeland Security Exercise and Evaluation Program (HSEEP)

https://www.fema.gov/emergency-managers/national-preparedness/exercises/hseep#
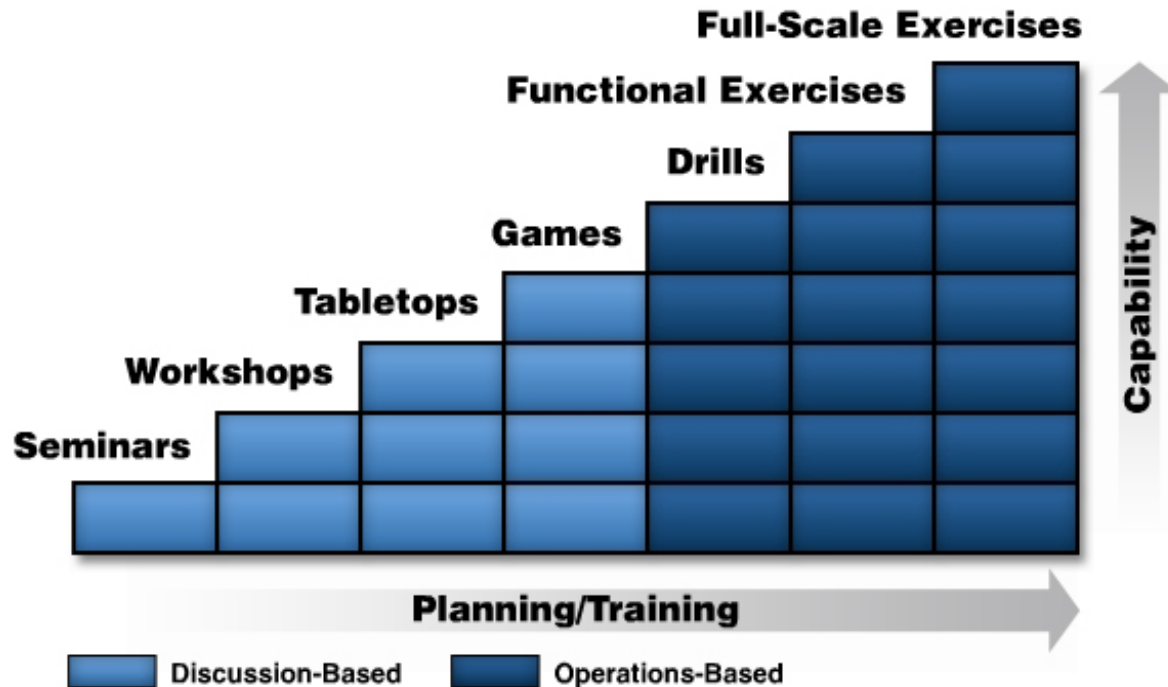
Test, Train, Exercise Note

- Exercises are the culmination of testing and training.

- Testing builds to training builds to exercising; which identifies training and testing needs.

Best Practices

Testing

- Real-world will test for you sometimes
- Plan tests; even small components
- Look for opportunities to test as part of other projects

Training

- Look for pre existing courses (FEMA, DHS etc.)
- Build on prior trainings (compound knowledge and increase complexity over time)
- Meet with staff- as a group and individually

Exercising

- Prepare your staff and players with prepatory reading; presentations; background information before the event
- Time: the more people in the room, the more time you need
- Create environment for difficult conversations to be worked through; not avoided

Ready.gov Resources: Ready Business

TEST:

https://www.ready.gov/business/testing

https://www.ready.gov/testing

TRAIN:

https://www.ready.gov/training-0

EXERCISE:

https://www.ready.gov/business/testing

https://www.ready.gov/business/testing/exercises

Devolution

Per FEMA's ISO551 Course:

Devolution is defined as: The capability to transfer statutory authority and responsibility for essential functions from an organization's primary operating staff and facilities to other organization employees and facilities, and to sustain that operational capability for an extended period.

Devolution Plan template:
https://emilms.fema.gov/ISO551/course/documents/devolution_template.pdf

Devolution

- **Handoff of Control and Direction**
- **Rare**
- **Ideally temporary**

- Example: 911 primary and secondary; must maintain calls no matter what county is picking up the phone

2020 November General Election Challenges

- Generally speaking for elections, **Devolution is not an Option**

- Colorado Secretary of State Office may have options in extreme circumstances

Reconstitution

Reconstitution

- How do you put everything back?

- How do you restore services to full capacity?

- When or what will trigger this restoration?

- What communication will be sent, where, and how?

2020 November General Election

- Generally based on the **alternate facility plans** and backup equipment supply

- **Emergency Operations Center (EOC)** was activated in support of preventing any situation requiring reconstitution

- General closures (weather related)-> main communication via DED and JIC; redirecting voters to other sites; **overall service of voting availability was not dropped**

Ask The Presenter!

Open Question/Discussion Time

Thank You!

Elizabeth (Lizz) Floro
Emergency Manager; Continuity, and CIKR Programs
Office of Emergency Management
Elizabeth.floro@denvergov.org