Emergency Preparations

JOSH LAWSON, GENERAL COUNSEL
GEORGE McCUE, AGENCY COUNSEL

PRESENTED FEBRUARY 1, 2016
Types of emergencies

**Hazards**
- Fire
- Explosion
- Natural hazards
- Hazardous materials spill or release
- Terrorism
- Workplace violence
- Pandemic disease
- Utility outage
- Mechanical breakdown
- Supplier failure
- Cyber attack

**Assets at Risk**
- People
- Property including buildings, critical infrastructure
- Supply chain
- Systems/equipment
- Information Technology
- Business operations
- Reputation of or confidence in entity
- Regulatory and contractual obligations
- Environment

**Impacts**
- Casualties
- Property damage
- Business interruption
- Loss of customers
- Financial loss
- Environmental contamination
- Loss of confidence in the organization
- Fines and penalties
- Lawsuits

What’s the most likely type of emergency in March 2016?
- Winter weather

What else should be focus of preparations?
- Power outage
- Security breaches, either technical or otherwise
- Medical emergencies
- Violent individuals, weapons
Preparation

Make contact in advance of election so you know who key emergency management players are and they know who you are.

Law enforcement should be aware of elections so they can respond to any security issue (whether it is a large-scale emergency or a minor incident)
Preparation

North Carolina Department of Public Safety
Emergency Management

www.ncem.org
Click on “Counties” to find contact information for each county’s Emergency Coordinator. Directors – make this contact now so you have this resource handy if/when you need it!

www.ReadyNC.org
- App for smartphones
- Live tweets on Twitter
Risk mitigation

What can be done to prevent or lessen the impact?

– Facilities with backup power generator
– Contingency
  • Equipment
  • Supplies
  • Personnel (such as Emergency Election Judges)
  • Locations
– Educate election workers, determine hierarchy structures
– First aid kits, defibrillators, CPR certification
Emergency response plans

When planning for emergencies, plan for two scenarios:
- **Single site or localized multi-site emergency**
  Example: Voter has a stroke while in voting enclosure
- **Countywide emergency situation**
  Example: Blizzard

**Involve all stakeholders in planning process**
- County Manager, County Attorney, IT Department
- Municipalities
- Emergency response personnel
- CBE staff
- Poll workers
- County political party chairs
- Public at large (open meetings)

**Exercise plan(s) and make improvements**

**Have a plan to document actions and expenditures**
Planning considerations

- **Relocation**
  - Preplanning and agreements are key. Does alternate space need to be reserved?
  - If relocation is necessary
    - **Signage** at the closed site to direct voters where to go. The sign should include the phone number for the CBE office and directions and a map so voters can easily learn how to get there
    - **Alert media and party chairs** immediately to help get word out to public

- **Backup power**

- **Transportation; road closures:** What alternatives are available? Using maps

- **Communications**
  - Internal & external
  - Does county have reliable cell phone service? What if cell phone service is out?
Winter weather

Assess the likelihood of winter weather in March 2016 as the election approaches. *Mountain counties especially should be prepared!*

**What supplies may you need for your sites?**

- Salt, snow melt
- Snow shovels
- Ice scrapers
- Rugs
- Anti-skid mats or tape
- “Wet floor” signage

Does the CBE have vehicles with four-wheel drive?

Hazardous conditions may make it more difficult for elderly or disabled voters to come inside, which may mean more curbside voting

If hazardous conditions result in one-stop voting site delays/closures: Notify SBE Helpdesk immediately
Implementing the plan

Determine who needs to take action, who is available, and how quickly a decision must be made

- CBE Chairman
- Full County Board of Elections
- Elections Director
- Deputy Director
- County Manager
- County Attorney
- County IT Director

Make sure you have the cell phone of all of these persons
Role of the State Board of Elections

How we will work together
- Documentation
  - Helpdesk tickets: Most effective way to get information to SBE office
  - Incident Reports
- Communications from SBE: To entire state versus individual counties
- In an emergency, information may be relayed via robocall. SBE may collect emergency contact information
- SEIMS drives can be backed up prior to being moved, if needed

Authority from SBE office
- Numbered Memo 2015-06
- Emergency Powers of Executive Director: GS 163-27.1

State Board Powers
- Extend voting hours to make up time lost: GS 163-166.01
- Order new election (resulting from election protest): GS 163-182.13

§ 163-27.1.
Emergency powers.
The Executive Director, as chief State elections official, may exercise emergency powers to conduct an election in a district where the normal schedule for the election is disrupted by any of the following:
(1) A natural disaster.
(2) Extremely inclement weather.
(3) An armed conflict involving Armed Forces of the United States, or mobilization of those forces […]
<table>
<thead>
<tr>
<th>Scenario</th>
<th>What are the potential effects?</th>
<th>Workable and effective contingency plan</th>
<th>Worst-case scenario: How do we pull off an election?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Winter weather</td>
<td>Power outages; difficulties in transportation</td>
<td>Potential site delays or closures</td>
<td>Possible extension of voting hours (by SBE); new election</td>
</tr>
<tr>
<td>Personnel doesn’t show up</td>
<td>Might delay site opening on time or result in a backup in voters waiting</td>
<td>Backup assignments; cross-train; share contact information; ensure access to building (keys)</td>
<td>Bring in back-up poll workers or workers from other sites or CBE office; ensure that every voter in line gets the opportunity to vote</td>
</tr>
<tr>
<td>Safety threats</td>
<td>Security of workers and voters; security of ballots and voting equipment</td>
<td>Emergency response (police, fire); lockdown of facility; chain-of-custody</td>
<td>If necessary, relocate voting to different site with communications and signage; possible extension of voting hours (by SBE)</td>
</tr>
</tbody>
</table>
Power outages

- Backup generators

- UPS: Uninterruptable Power Source

- Be familiar with battery backup of voting systems
  - Most equipment will continue to operate for several hours on battery backup, if fully charged
  - **iVotronic machines:** Printer on battery power may need to be reset after each voter

- If site is without computers, printers, or electronic poll books:
  Can phones and personal devices be used to perform voter lookups using the public SBE website?

- Consider other issues if power is out that could affect the site’s accessibility:
  - Is there sufficient lighting?
  - Nonfunctioning elevators and automatic doors may result in more curbside voting.
Firearms and voting sites

Q: Are firearms prohibited on voting sites in North Carolina?

A: It depends on the building where the site is hosted. This is a question for the entity that is hosting the voting site. There is no North Carolina General Statute that prohibits firearms in voting sites. However, the following types of facilities do have laws the restrict the carrying of a firearm, either concealed or openly:

- **Schools and educational property**: GS 14-269.2, 14-415.11(c)(1)
- **Courthouses**: GS 14-269.4, 14-415.11(c)(2)
- **State or federal offices**: GS 14-415.11(c)(6), (c)(7)
- **Private property, if notice is given that carrying a concealed handgun is prohibited**: GS 14-415.11(c)(8)
- **Anywhere prohibited by federal law**: GS 14-415.11(c)(4)

See also 14-415.11 regarding permits to carry concealed handguns

It is recommended that the CBE office be familiar with firearm policies at the buildings hosting voting sites. Please consult with your county attorney on this matter.
Natural disaster exception for photo ID requirements

The declaration of an emergency is different from the declaration of a natural disaster.

- Both are made by the executive of state or federal government (Governor or President), BUT...
- Declaration of an emergency happens before or during the emergency
- Declaration of a natural disaster is associated with the restoration and cleanup from that specific type of emergency (for example, if flood damage decimates a community located near a river)

Victims of a natural disaster occurring within 60 days of an election can be excepted from photo ID requirements. GS 163-166.13(a)(3)

SBE will provide to affected counties the specific instructions and the proper forms if a natural disaster is declared.
Let’s hear from the experts... you!

- Success stories
- Learning experiences
- Any additional thoughts?

*Thank you for your dedication!*