



Voting in the Age of COVID-19

**People Should Not Have to Risk Their Lives To
Vote- But Is Our System Ready for More Voting
By Mail?**



No Political Issue Is More Controversial Than Vote by Mail

- **Amy Klobuchar (D-Minn.) and Ron Wyden (D-Or.) have proposed legislation allowing national mail-in voting. Many Democratic colleagues are backing this legislation.**
- **Donald Trump and the Republicans hate the idea, even though Trump personally voted by mail. Trump has explained his opposition saying,**
 - “Republicans should fight very hard when it comes to state-wide mail-in voting. Democrats are clamoring for it. Tremendous potential for voter fraud, and for whatever reason, doesn’t work out well for Republicans. [@foxandfriends](#)”
- With national expansion of early voting and voting by mail, Trump said, “you’d never have a Republican elected in this country again...Mail ballots are a very dangerous thing for this country because they’re cheaters. The mail ballots are corrupt, in my opinion.”



Republicans Agree With Trump In Opposing Voting by Mail

- Georgia House Speaker David Ralston stated that, “if every voter got a mail-in absentee ballot, it would be “extremely devastating to Republicans and conservatives in Georgia.”
- Republican Sen. Lamar Alexander contended that forcing voters to risk their lives is preferable to voting by mail.
- Kentucky Representative Thomas Massie tweeted “universal vote by mail would be the end of our republic as we know it.”
- Minnesota’s Republican Party chairwoman, Jennifer Carnahan, declared, “The apocalypse has arrived.” The plan is “simply a path to steal the elections in Minnesota this year,”
- **This is like a David Copperfield illusion. While everyone focuses on cheating and the risk to the Republicans, the magician in the White House conceals the real issue.**
- Before presenting the recommendations of Reform Elections Now, it is useful to consider the facts and fictions of mail-in voting.



Advantages of Voting by Mail

- **Voter convenience and satisfaction**—Citizens can vote at home and take all the time they need to study the issues. Voters often express enthusiasm for all-mail elections.
 - Voters do not have to take time off from work or wait in long lines.
 - Older and infirm citizens can vote.
 - During the COVID-19 outbreak, people do not have to risk their health to vote.
- **Financial savings**—Jurisdictions save because they no longer need to staff as many traditional polling places.
 - A [2016 study of Colorado from the Pew Charitable Trusts](#) found that costs decreased an average of 40 percent in five election administration categories across 46 of Colorado's 64 counties
- **Turnout**—Turnout increases by single digits for presidential elections and more in smaller elections.
 - Many who would not or could not vote now can and do.
 - The U.S. ranks last in the developed world in voter turnout. Anything increasing turnout is a significant positive.



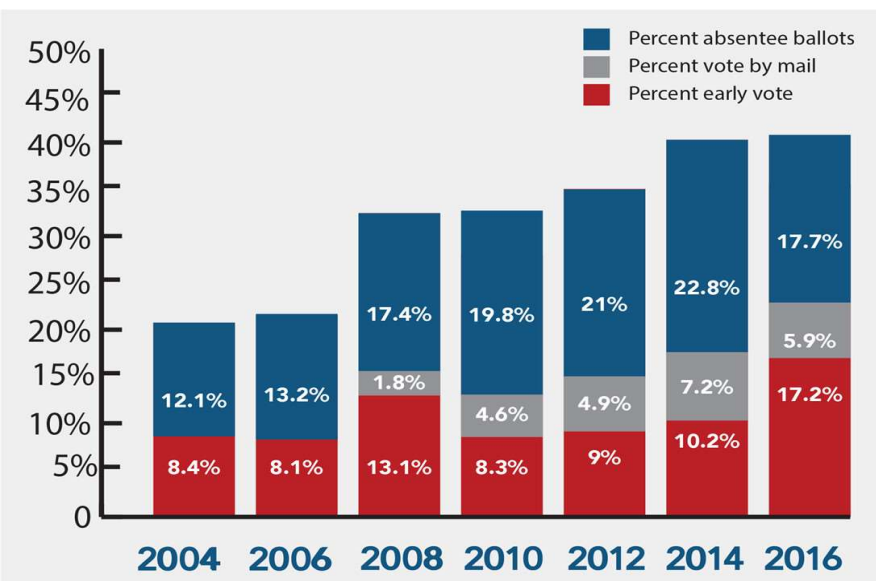
Disadvantages of Voting by Mail

- **Tradition**—The civic experience of voting with neighbors at a local school, church, or other polling place no longer exists.
- **Disparate effect on some populations**—Mail delivery is not uniform.
 - Native Americans on reservations or rural Alaskans may have difficulty because many do not have street addresses.
- **Literacy**-People who can't read English have difficulty voting by mail.
- **Disputed Ballots**
 - In 2018, 8.2% of all mail in ballots were disputed and eliminated, a potentially serious problem in many elections.
- **Disputed Elections**
 - Disputed ballots could lead to disputed elections. A number of elections results have been delayed, challenged, or overturned because of disputed mail-in ballots.
- **Security**—
 - Coercion by family members or others might occur.
- **Financial considerations**—
 - Printing costs are increased. Expensive new equipment that can scan paper ballots is needed.
- **Slow vote counting**—especially if a state's policy is to allow ballots postmarked by Election Day to be received and counted in the days and weeks after the election.

More voters are using early voting and voting by mail

The percentage of voters using early voting and voting by mail is increasing every election.

- The US Election Assistance Commission 2017 report showed, this percentage has doubled from 24.9 million in 2004 to 57.2 million in 2016, to roughly two out of every five ballots cast. With Michigan, Pennsylvania, and Virginia moving to no-excuse absentee ballots, California shifting to 100 percent mail-in voting for over half its population, and Hawaii going 100% mail-in, it is estimated that half of all Americans will cast ballots by mail in 2020.



Given that half the voters will vote by mail in 2020, why all the commotion?



Forms of Voting By Mail By State

- States can be divided into three categories: those that allow all voters to vote by mail, those that allow any voter who asks to vote by mail, and those that put restrictions on voting by mail.
 - If you listen to the political debates, you would assume Democratic leaning states would have the most flexible rules, while Republican leaning states would have the most restrictive rules. You would be wrong!
- States with all mail-in voting represent a mix of red, blue, and purple states, primarily in the west.
- States that demand excuses for getting a ballot tend to be extremely partisan on either side. Ironically, it is unlikely that any of these states would be up for grabs in 2020.
- Many of the states that allow no excuses mail-in ballots are swing states. In fact, **almost every swing state allows no excuses mail-in ballots.**
- **If the states that could have an impact on the 2020 election already allow anyone who wants it to obtain a mail in ballot, why are we having this debate?**



ALL VOTING- or Distributing-BY MAIL

5 States allow all voters to vote by mail.

- These states are: **Colorado, Hawaii, Oregon, Utah, and Washington.**
- By political breakdown, Utah is red. Colorado is purple, and the other three are blue.

Voting By Mail May Not Be The Correct Term—Instead We Should Use Distribute By Mail.

- Most voters do not return all ballots by mail.
 - According to the 2016 [Survey of the Performance of American Elections](#), 73% of voters in Colorado, 59% in Oregon and 65% in Washington returned their ballots to some physical location such as a **drop box** or local election office. Even among those who returned their ballots by mail, 47% dropped off their ballot at a U.S. Post Office or neighborhood mailbox rather than having a postal worker pick it up at home.
- **Delivering to a drop box or election office or taking the ballot to a U.S. Post Office or neighborhood mailbox reduces the risk of fraud..**



17 Other States Allow All Voting By Mail in Counties, Rural Areas and Special Elections

- **California:** Any county may conduct any election as an all-mail election.
- **Nebraska and North Dakota allow counties to select All Voting By Mail**
 - In the 2018 election, statewide voter turnout in Nebraska averaged 58 percent; turnout in the four counties with mail-in voting [averaged 71 percent](#).
 - In North Dakota, 31 of 53 counties have shifted to mail-in voting.
- **Idaho, Minnesota, Nevada, New Jersey, and New Mexico** allow municipalities with a specific low number of voters to conduct elections by mail-in.
- **Alaska, Arizona, Florida, Kansas, Maryland, Missouri, Montana, and Wyoming** allow some local elections, referenda, and some special elections to be conducted by mail-in.
- **Texas** allows no-excuse access to mail-in absentee ballots for voters 65 and older.

These 22 states include 10 red states, 7 purple states, and 5 blue states, hardly the composition one would expect given the current political dialog.



17 States require a good excuse for obtaining a mail-in ballot.

- To get an absentee ballot in these states, a voter has to have a justified cause.
 - Half of these states allow older voters and college students to obtain mail-in ballots.
 - All allow residents with illness or disability to obtain a mail-in ballot.
- These states include red states: Alabama, Arkansas, Indiana, Kentucky, Louisiana, Mississippi, Missouri, South Carolina, Tennessee, Texas, and West Virginia; and blue states, Connecticut, Delaware, Massachusetts, New Hampshire, New York, and Rhode Island.
- The Democratic bill in the Senate is focused on doing away with excuses and allowing anyone who wants a mail-in ballot to get one.
- Of the 17 states, only New Hampshire and potentially Texas, could be competitive in the 2020 Presidential election.
- **If there is a close election, none of these states is likely to be up for grabs, and within these states, there will be relatively few competitive elections.**



28 States Use No Excuses Voting By Mail

- In these states, voters must request a ballot, but some states, such as Arizona, do allow residents to join a list that automatically receives absentee ballots for every election.
 - These are the states that have already done what the Democrats want them to do. And here is what is interesting about these states—
 - **All of the genuinely competitive states in the November election fall into this category.**
 - Pennsylvania
 - Georgia,
 - Minnesota
 - Virginia
 - Michigan
 - North Carolina
 - New Mexico
Ohio
 - Maine
 - Iowa
Florida - Wisconsin
 - Nevada
- **If all the competitive states already have no excuses absentee voting, what exactly do the Democrats hope to gain?**



Look At Voting by Mail By Geography-Not Partisanship

Preference for voting by mail is actually geographically not partisan based.

- West of Colorado, 69 percent of ballots are cast by mail
- Nationwide, 27 percent of ballots are cast by mail.
- Deeply conservative Utah has moved almost entirely to vote-by-mail in recent years.
- The Republican Secretary of State in Washington is one of its biggest champions.
- True-blue states like New York and several in New England have some of the more restrictive absentee balloting rules in the country.



Impact of Voting By Mail

- Voting by mail has allowed increased turnout.
- It has not benefitted the Democrats.
- It has benefitted the Republicans.
- It has resulted in a higher percentage of disputed ballots, which have more severely hurt Democrats.
- There has been relatively little fraud.



Voting By Mail Increases Turnout

Extending voting by mail options increases turnout.

- Small increases are found in midterm and presidential elections.
- Larger increases are found in primaries, local elections, and special elections.
- The increase comes by bringing marginal voters into the electorate and by retaining voters who might otherwise drop out of the electorate.



Voting By Mail Benefits Republicans More Than Democrats

- White voters are more likely than Black or Hispanic voters to vote by mail.
 - White voters are twice as likely as Black voters to cast an absentee ballot.
- Rural voters are more likely than urban voters to vote by mail.
- People over 65 are most likely to vote by mail, another demographic in which Republicans dominate.
- People for whom English is a second language have the lowest participation among those who vote by mail.
- Democrats have prioritized in-person early voting instead of mail balloting, such as the traditional “souls to the polls” pushes at African American churches.
- Republicans have historically outpaced Democrats in organizing their supporters, especially older white voters, to vote by mail.
 - In Arizona, Republicans outnumber Democrats on the state rolls of voters who have signed up to automatically receive a mail ballot.
- In Florida, according to Michael McDonald, a University of Florida political scientist, “When you have a system of elections that have multiple methods by which people can vote...—mail ballots tend to be the most Republican of the group.”
- **If Voting By Mail benefits Republicans and hurts Democrats, why are the leaders of both parties taking opposite positions?**



Issues with Voting By Mail

There are a variety of issues large and small with mail-in ballots. These include:

- How citizens can request absentee ballots- online, by mail, or in person.
- Who pays the postage for returning ballots- the State or the Voter?
- With COVID-19, do all voters require witness signatures?
- What is the process for disputed or rejected ballots?
 - The biggest dispute is whether the signature on the ballot matches that in the files.
- **Dealing with disputed or rejected ballots is a huge issue that is not easily resolved.**



DISPUTED BALLOTS ARE A REAL ISSUE

- In 2018, nationwide [91.8 percent](#) of all absentee ballots sent in by voters to local election offices were counted, leaving 8.2 percent *not* counted — a significant disqualification rate.
- For the last presidential election, in 2016, states reported their numbers somewhat differently, but still the [rates of disqualification](#) are alarming.
 - Georgia reported counting 93.6 percent of absentee ballots returned, meaning that 6.4 percent were not counted.
 - New York reported counting 90.7 percent of returned absentee ballots, with 9.3 percent uncounted.
- These ballots largely are rejected not because the voter is unqualified, but because of errors in the *process* of the voter's submission.
- Whether the rate is 8.2%, 6.4%, or 9.3%, this represents a very large amount of votes that could have a material impact on the winner of an election.
- **If he largest percentage of these disputed ballots were Democratic, why are Democrats pushing for voting by mail?**



WHY ARE BALLOTS DISPUTED AND REJECTED?

- Ballots can be rejected because the signature or bar code does not match, late delivery, and many other reasons.
- Mail delivery can be difficult for certain groups, like Native Americans.
 - On Native American reservations and in remote Alaskan villages, many residents do not have traditional mailing addresses and postal service is unreliable.
- In Washington State, election officials threw out more than 47,000 votes in this spring's primary because not all voters remembered to choose a political party on the front of their ballot. This problem does not arise in poll-based voting systems.
- Absentee ballots must be submitted inside a special envelope, and on that envelope, the voter must provide essential information: name, address, signature and often additional identification. Ballots are routinely invalidated because of innocent clerical errors voters make in filling out the envelopes or by misreading by employees in election offices.
 - Some states require not only the voter's signature on the envelope, but also a witness signature or a photocopy of the voter's ID.



Democrats Have More Ballots Rejected Than Republicans

- Daniel A. Smith, a University of Florida political scientist, has found that mail ballots in that state from young people and minorities are rejected at higher rates than those from older people and white voters—a dynamic that has obvious benefits for Republicans.
- Many ballots have been rejected from voters for whom English is a second language.
 - Because of a rise in its Latino population, Gwinnett County in suburban Atlanta had to mail out absentee ballots with information in both English and Spanish in 2018. The result was chaos. The county accommodated the increased text by printing it in 6.5-point font, making each letter smaller than a sesame seed. Many voters were confused by the instructions — in particular, that they had to sign the back of the yellow envelope before returning it or their votes wouldn't count. Gwinnett rejected 595 absentee ballots.
 - This also impacts Native Americans. As one Navajo leader observed, “A lot of Navajos only speak Navajo and they need language assistance.”



Voting By Mail Lawsuits

There have been numerous lawsuits over voting by mail.

- The 1984 election for Indiana's 8th Congressional District saw an ugly fight in court and in Congress over absentee ballots that arguably deserved to be counted even though they had not been properly "witnessed" as required by state law.
- In the 2008 U.S. Senate race in Minnesota, between incumbent Norm Coleman and challenger Al Franken, absentee ballots were disqualified for various procedural reasons, thereby generating an equal protection issue that took courts eight months to resolve while keeping the crucial seat vacant.
- In North Carolina a Republican operative was accused of "ballot harvesting," collecting ballots from unsuspecting people, and voting for the Republican. The House seat was left empty for 9 months, while the election was rerun. In the rerun, the Democrat won.
- In the Florida U.S. Senate race in 2018, Rick Scott defeated Bill Nelson by 10,033 votes.
 - 32,492 absentee votes were disqualified for arriving late, even though more than 10,000 were postmarked on time.
 - 5,586 votes were rejected because the signature on the envelope did not match that on the ballot.
 - 14,000 mail votes were damaged.



Fraud is less of an Issue

Since 2000 more than 250 million votes have been cast via mailed-out ballots, according to the Vote at Home Institute. Fraud rates remain infinitesimally small.

- None of the five states that hold their elections primarily by mail has had any voter fraud scandals since making that change.
- As the *New York Times* Editorial Board notes, “states that use vote-by-mail have encountered essentially zero fraud:
- Oregon has sent out more than 100 million mail-in ballots since 2000 and has documented only about a dozen cases of proven fraud.”
- From 2000-2012, only 491 cases of absentee ballot fraud have been identified.
- Yet while vote by mail fraud is very low, Justin Levitt, a law professor at Loyola Marymount University stated, “misconduct in the mail voting process is meaningfully more prevalent than misconduct in the process of voting in person.” However, Levitt added, ““Misconduct still amounts to only a tiny fraction of the ballots cast.”

Donald Trump is clearly wrong when he talks about extensive voter fraud in voting by mail.



Arguments That Voting By Mail is Actually Safer

Phil Keisling, the former Oregon secretary of state who introduced that state's mail-in voting system, believes voting by mail is actually safer.

- *“Mail-based voting systems today are far less risky than most polling place elections, precisely because they distribute ballots (and electoral risk) in such a decentralized way. To have any reasonable chance of success, an organized effort to defraud a mail-based system and its safeguards must involve hundreds (if not thousands) of separate acts, all of them individual felonies, that must both occur and go undetected to have any chance of success.”*
- Hacking of voting by mail is much more difficult.
 - **Polling places increasingly rely on direct-recording electronic (DRE) voting systems. A single successful software hack potentially could affect thousands of votes. It's the difference between “retail” fraud and “wholesale” fraud.**
 - **Voting by mail can help avoid large scale hacking.**



Steps to Control Potential Fraud

States have multiple tools to protect election integrity of mail ballots.

- **Identity verification:** on the mail ballot envelope coordinated with drivers' license or other I.D.
- **Bar codes:** on ballot envelopes to track of ballot processing, help voters know whether their ballot has been received, and eliminate duplicate ballots.
- **Ballot tracking through the U.S. Postal Service:** with intelligent mail bar codes linked to the USPS that enables voters and election officials to track an envelope.
- **Secure drop-off locations and drop boxes** to ensure that ballots are not stolen or tampered with. Using a camera to monitor the location further reduces potential fraud.
- **Harsh penalties:** for anyone who commits voter fraud.
- **Postelection audits:** systematically enable election officials to identify any irregularities or misconduct in the vote.

- **Polling sites as a fail-safe:** In-person polling sites provide a mechanism to correct problems, provide essential services, and ensure that every eligible voter can cast a valid ballot.

With these steps, potential fraud can be almost completely eliminated.



Logistics are the biggest problem of expanding voting by mail

In some states, like Arizona, where 75% of the votes are by mail, logistics should not be a problem. However in states like Maryland, North Carolina, and Georgia, where less than 6% of the vote was by mail in 2016, adapting logistics to new voting systems could present significant problems.

- States “are not going to be able to manage the mass requests that are going to come” McDonald says. “It’s going to be a mess. Wisconsin is the canary in the coal mine. In November, we are going to have a whole flock of dead canaries.”
- Most election scanners can’t read ballots voters print out s on standard printer paper, so election staff have to hand-transfer the votes to a ballot made from official ballot stock.
 - Kammi Foote, registrar of voters in Inyo County, Calif., told POLITICO this requires four people in her county — one person to read the voter’s ballot, another to mark those votes on the stock paper ballot and two people to monitor each of them.
- Most counties in non all-vote-by-mail states don’t have machines that can read the bar codes.
- Some counties prohibit election officials from doing any ballot processing before Election Day. Given the time it takes to process these ballots, this could hold up election results for a substantial amount of time.
- In states like Washington and Utah, it took several years to make a smooth transition from polling places to voting by mail. Quick turnarounds after rule changes have generally led to more problems.

Logistics are a Threat to Rapid Change

While mail-in ballots seem like an elegant solution, experts say slow-moving state and county governments, inconsistent state rules and limited resources to buy essentials such as envelopes and scanners could make it difficult to ramp up for the Presidential election.

- Among the possible downsides of a quick transition are increased voter fraud, logistical snafus and reduced turnout among voters who move frequently or lack a mailing address.
- In states like Texas, implementing a strong vote by mail system could be difficult because voting is controlled by counties, each of which sets its own rules.. Rural counties frequently use machines that produce no paper backup and have no infrastructure to store.
- In Kentucky, where most counties use paperless systems and ballot marking devices, only 2% of voters mailed in ballots in 2018. Few counties have scanners to tabulate paper ballots.
 - Kentucky Secretary of State Michael Adams is wary of the state's ability to switch to voting by mail. "It's not something to be done at the drop of a hat," he said, adding that the move could cost millions of dollars and still be flawed. "
- Many states use paperless voting machines or touch-screen devices that are not compatible with voting by mail systems.



Voting By Mail Appears to Benefit Republicans

Among Voters

- Seniors and Whites have the highest participation rates, benefitting Republicans.
- Blacks, Hispanics, and Native Americans have the lowest participation rates, hurting Democrats.
- Rural voters have a higher participation rate than urban voters, benefitting Republicans.

Among Voters Whose Votes as Disqualified.

- People with English as a second language have the highest disqualification rates.
 - This group is primarily Democratic
- Blacks have a much higher disqualification rate than whites.

If Voting By Mail increases Republican turnout and disqualifies votes for Democrats, why are Democrats pressing for its expansion while the President and other Republicans say its expansion will be a disaster?



2020 is a critical election

2020 is a critical election.

- Donald Trump is running for reelection.
- The Democrats have an outside hope of retaking the Senate.
- 2020 is also a census year, after which redistricting will occur throughout the U.S.
 - Republicans won in many states in 2010 and gerrymandered against Democrats.
 - Democrats would like to win in some of these states and change the pattern of gerrymandering.



The Biggest Fear of the Democrats is Coronavirus

- Democrats dominate in urban areas, Republicans in rural areas.
 - Coronavirus has hit urban areas much harder than rural areas.
- Since the coronavirus outbreak, four states have had primaries:
 - Illinois, Florida, and Arizona had primaries on March 17.
 - Arizona has a high percentage of mail-in voting.
 - Florida and Illinois both had sharp drops in in-person voting, averaging 40%
 - Wisconsin had its primary on April 7.
 - In Milwaukee, only 5 out of 120 polling places were open.
 - In person voting in Milwaukee was only 18,805. In 2016, it was over 100,000.
 - Small towns and rural areas in Wisconsin did not have nearly the drop off.
- **The message to Democrats was clear. Most people were not willing to risk their lives to vote. If the coronavirus pandemic lasts until November, people in cities will be scared to vote. The Democrats will be trounced, and with the upcoming census, they will be at a disadvantage for another decade.**



Trump and the Republicans Really Do Not Care about Voting By Mail

Trump doesn't really hate voting by mail- after all he did vote by mail himself.

- Trump understands that older white people and rural voters, his voters, are more likely to vote by mail, and that people of color and ESL voters, not his people, are less likely to vote by mail.
- Trump realizes that in most worlds, voting by mail will help the Republicans. But this isn't most worlds.
- Despite his promises that we have licked the coronavirus, Trump knows that if the virus lingers towards election day, the Democrats will be at a huge disadvantage.
- Trump has a simple view of the world. If it helps him personally, he is for it. If it hurts him personally, he is against it.
- **Trump is against voting by mail, because in the world of coronavirus, and only in the world of coronavirus, it could help Democrats defeat him.**



What Should be Done?

At Reform Elections Now, we strongly support the extension of voting by mail and early voting.

The U.S. has the lowest voter participation of any developed countries because the two parties make it difficult for people to vote.

We believe:

- **People should have easy access to voting.**
 - Voting by mail, for many people, is much easier.
- **In a time of coronavirus, people should not have to risk their lives in order to vote.**
 - The photos of people risking their lives in Milwaukee were haunting.
 - Poll workers should not have to risk their lives for doing their civic duty.

Whether Republicans or Democrats benefit, we believe government should do whatever it can to make it easier for people to vote.



Voting Should Not Lead to a Disputed Election

The problem with giving every American the right to vote by mail at this point in time is that many states and counties are not prepared for a vast influx of voters by mail.

- The worst outcome would be to have a Presidential, Senatorial, or Gubernatorial election disrupted by long court suits over disqualified ballots.
- With the increase in voting my mail, Reform Elections Now fears this is a real possibility.
- States and counties should immediately take steps to accommodate their voters and build the logistic capability to handle an influx of voting by mail.
- However, some may still fall short.
 - States with no excuses voting should be able to handle the demand, because most already have a large number of citizens who vote by mail.
 - States that have required excuses for absentee ballots may have more difficulty.



Steps The Can Make The Process Work More Smoothly

- All States should make an effort to offer their citizens no excuses voting.
 - Citizens can apply for absentee ballots no questions asked.
- To make the process function more smoothly, votes should be counted when they are submitted, instead of on election day.
 - One of the biggest problems with mail-in votes is slow counting. Starting early will solve this problem.
 - Some states may have to change their laws to allow early counting.
 - If a vote by mail ballot is rejected, the government should contact the voter, so that voter has a chance to cast another ballot.
- All states should offer 3 weeks of early voting at polling places.
 - With early voting, people will be able to avoid lines and the risk to their health.
- Polling places should spread out voting machines, so there is 6 feet between them, and put barriers between the voting machines, as supermarkets and drug stores currently do.
- Polling places should remain open in the evening and on weekends to accommodate more voters and allow more spacing.
 - With the current high levels of unemployment, governments should have no trouble hiring workers.



Voting By Mail- Conclusion

Voting by mail is an excellent concept that has been caught up in extreme partisanship.

- At Reform Elections Now, we do not care if voting by mail benefits Republicans- which it does- or Democrats- which it does not. We think voting should be made easier.
- In this time of coronavirus, we think people should not have to risk their lives to vote.
- Governments can make it easier to vote by offering no excuses voting by mail and early voting at polling places that protect people's health.
- Governments should invest in the technology needed to handle early voting and voting by mail.
- Governments should make whatever legal changes are necessary so they can start counting votes immediately upon receipt.
- Governments should contact any voter whose mail-in vote is rejected, so that voter has another opportunity to cast a ballot.

Our country has to act now to protect our Democracy.

Peter J. Siris
April 14, 2020