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# Five Election Integrity Reforms States Can Enact to Restore Trust in Election Administration

**Trevor Carlsen**  
*Senior Research Fellow*

# KEY FINDINGS



AMERICANS **LACK CONFIDENCE**  
IN U.S. ELECTIONS.



**REGULAR CROSS-CHECKS** CAN HELP  
ENSURE CLEAN VOTER ROLLS.



**REQUIRING IDENTIFICATION** ON ABSENTEE  
BALLOTS CAN INCREASE VOTER CONFIDENCE.



**SECURING DROP BOXES** WILL PROTECT  
VOTERS THAT MAKE USE OF THEM.



**ENDING BALLOT HARVESTING** MAKES IT HARDER  
FOR BAD ACTORS TO SUBMIT FRAUDULENT VOTES.



**PROHIBITING THE DISTRIBUTION** OF ABSENTEE  
BALLOTS BY THIRD-PARTY OPERATIVES  
PROTECTS VOTERS.

## THE BOTTOM LINE:

STATES SHOULD UTILIZE AVAILABLE OPTIONS  
TO SHORE UP VOTERS' CONFIDENCE AND  
PROTECT THE INTEGRITY OF ELECTIONS.

## Overview

It must be easy to vote in our elections, but also hard to cheat. Otherwise, Americans will be concerned about the integrity of elections and if those concerns are not addressed, voters may become disengaged.

The 2020 election illustrates this issue. In a year of record turnout, 80 million Americans chose not to vote despite their beliefs that the country is on the wrong track.<sup>1-2</sup> Even though the vast majority of these individuals think it is easy to vote, they chose not to because they do not see voting as a solution.<sup>3</sup> This is because many generally do not believe that elections are free and fair.<sup>4</sup>



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And those who did choose to vote similarly lack confidence in elections. Leading up to the 2020 election, confidence that votes would be accurately cast and counted matched a record low.<sup>5</sup> In post-election polling, a clear majority of voters indicated that they are concerned about institutional fraud.<sup>6</sup> And roughly half replied that they are very concerned.<sup>7</sup>

If voters' growing concerns continue to go unanswered, they too will become apathetic and stop showing up to vote. Instead of engaging in the process, they will stay home. Civic engagement is necessary for democracy. When citizens become disillusioned, the democratic process falters.

States can and should shore up voters' confidence by ensuring voter registration lists are regularly updated, absentee ballots are secured, and by banning ballot harvesting. Five reforms across these three areas will put states back on a path toward trustworthy elections.

## Clean Voter Rolls

Voter rolls overpopulated with former residents and the dearly departed are problematic for election administration. Keeping these names on the voter rolls increases the likelihood of votes being cast in the name of the deceased and people could end up casting multiple votes—in-person and absentee in their former state. It can also cause unnecessary confusion on Election Day which leads to long lines at the polls, more provisional ballots, and voter frustration—all of which can be off-putting to voters and discourage future participation.<sup>8</sup>

Voter rolls are dynamic, and it is easy for them to fall into disrepair.<sup>9</sup> Routine list maintenance can help ensure the accuracy of the rolls. In 2021, roughly 206,000 names were removed from voter rolls in Wisconsin as part of routine list maintenance.<sup>10</sup> And approximately 177,000 names were removed from the Michigan rolls the same year.<sup>11</sup>



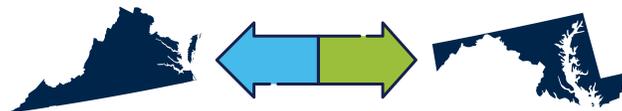
**IN 2021, ROUGHLY 206,000 NAMES WERE REMOVED FROM VOTER ROLLS IN WISCONSIN AS PART OF ROUTINE LIST MAINTENANCE.**

## **REFORM 1: REQUIRE STATE ELECTION OFFICIALS TO CONDUCT CHECKS OF VOTER REGISTRATION ROLLS TWICE A YEAR.**

Regular list maintenance will help keep the rolls up to date, protect against bad actors, and set election administrators up for success on Election Day.<sup>12</sup> As long as states conduct their list maintenance activities more than 90 days prior to the date of a primary or general election for federal office, states have wide discretion over when to conduct list maintenance.<sup>13</sup> A solid benchmark is to conduct reviews at least twice per year.<sup>14</sup>

Millions of Americans move every year with around 15 percent of all movers relocating to a different state.<sup>15</sup> When voters relocate, they may not always remember to cancel their old voter registration. The result: Voters remain registered in a state where they are no longer eligible to vote. For example, a cross-check of voter rolls in 2014 discovered 44,000 persons registered in both Virginia and Maryland with some of them casting ballots in both states.<sup>16</sup>

Even if election offices are already practicing regular list maintenance, lawmakers should codify the minimum requirement. Codifying the practice promotes transparency and gives voters assurance with at least a minimum threshold.



**A CROSS-CHECK OF VOTER ROLLS IN 2014 DISCOVERED 44,000 PERSONS REGISTERED IN BOTH VIRGINIA AND MARYLAND WITH SOME OF THEM CASTING BALLOTS IN BOTH STATES.**

## **Securing Absentee Ballots**

Absentee voting has been on the rise over the past two decades and sharply increased during the 2020 election, thanks to the pandemic.<sup>17</sup> Whether or not this trend continues, securing absentee ballots is necessary for election integrity. This is especially true amid concerns that absentee voting erodes voter confidence.

## **REFORM 2: REQUIRE ABSENTEE BALLOTS TO LIST THE VOTER'S DRIVER'S LICENSE NUMBER, LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER, OR VOTER ID NUMBER.**

Many states require voters to show identification to vote in person, but oftentimes these rules do not apply to absentee or mail-in ballots.<sup>18</sup> A requirement that absentee ballots list identification for the voter, such as the voter's driver's license number, the last four digits of their Social Security number, or a voter ID number, would establish parity between in-person and absentee voting and go a long way to closing the confidence gap between the two methods.

## **REFORM 3: SECURE DROP BOXES.**

Bank robbers rob banks "because that's where the money is."<sup>19</sup> Similarly, bad actors are going to go where the ballots are and unsecured ballot drop boxes are easy targets. For example, arsonists set ballot drop boxes on fire in Los Angeles and Boston during the 2020 election.<sup>20</sup>

Banks rely on security guards and surveillance cameras as crime deterrents and as tools to help prosecute the crimes that are committed. Similar protection measures are appropriate to maintain ballot security. Wherever ballots are stored for any length of time, the location should be secured and appropriately monitored.

## **End Ballot Harvesting**

Ballot harvesting is the practice of collecting and returning multiple ballots. But the practice is concerning because it allows people with ulterior motives to get their hands on ballots. As Justice Samuel Alito wrote in the Supreme Court opinion affirming Arizona's ballot harvesting law, "Limiting the classes of persons who may handle early ballots ... deters potential fraud and improves voter confidence."<sup>21</sup>

## **REFORM 4: PROHIBIT A SINGLE PERSON FROM RETURNING MORE THAN TWO VOTERS' BALLOTS AND NARROWLY DEFINE WHO CAN RETURN A BALLOT.**

Voters cannot send someone to the polls on their behalf on Election Day. The same protections should apply to absentee ballots. Generally, voters should be returning their own ballots. Of course, there are legitimate reasons for permitting some leniency in this respect; however, voters believe commonsense limits are necessary. Voters agree that ballots should be returned by the voter, a family or household member, or legal caretakers so that completed ballots do not fall into the hands of bad actors.<sup>22</sup>



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Ballot harvesting was at the heart of a 2018 North Carolina congressional race that devolved into a major scandal.<sup>23</sup> Ultimately, the election results were called into question and a special election was required, causing the district to go unrepresented in Congress for months.<sup>24</sup> After California expanded ballot harvesting in 2016, it led to outrage among Republicans.<sup>25</sup> One cycle later, the practice was again being criticized in the Golden State, this time by Democrats.<sup>26</sup> This recent history shows that ballot harvesting is simply gamesmanship. Both parties will push the boundaries to try and secure an electoral advantage and then cry foul if the other party outmaneuvers them.

Commonsense limits on how many ballots a person is permitted to return will also make it difficult for ballot harvesters to return ballots that belong to people who did not vote.<sup>27</sup>

## **REFORM 5: BAN DISTRIBUTION OF ABSENTEE APPLICATIONS BY THIRD PARTIES.**

Absentee applications are ripe for fraud. During the 2020 election, a nursing home employee filled out applications without contacting residents and forged their signatures.<sup>28</sup> Pre-filled applications make it even easier for these schemes to occur.

Lax rules about absentee applications give fraudsters a way to increase the circulation of absentee ballots during an election cycle. The return envelopes are vital to their operations. Voter fraud operations cannot fabricate the return envelopes the way they can manipulate ballots, so absentee applications are needed.<sup>29</sup>



**DURING THE 2020 ELECTION, A NURSING HOME EMPLOYEE FILLED OUT APPLICATIONS WITHOUT CONTACTING RESIDENTS AND FORGED THEIR SIGNATURES.**

Allowing third parties to distribute absentee applications could also lead to voter confusion.<sup>30</sup> If voters apply to vote absentee themselves, they know what to expect. But if they receive an unsolicited application, they may think they are now required to vote absentee and will be dissuaded from going to their polling place on Election Day.

Georgia and Kentucky have taken recent action to ban distribution of absentee applications by third parties.<sup>31-33</sup> Their reforms have created a barrier that keeps campaign activists and political operatives from meddling with a voters' registration.

## **THE BOTTOM LINE: States should utilize available options to shore up voters' confidence and protect the integrity of elections.**

Secure and fair elections are the foundation of the entire democratic system. Without voter confidence in elections, the whole operation unravels. Commonsense election integrity reforms are necessary to restore voters' trust.

These commonsense reforms will remove ineligible voter registrations and set up election workers for success with clean voter rolls on Election Day. They address some of voters' concerns with absentee ballots and establish parity with the votes being cast on Election Day. And they protect voters from bad actors meddling with ballots before they reach the election office. Reforms like these make Election Day about the will of the voter, not special interests and politicians.



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15275 Collier Boulevard | Suite 201-279  
Naples, Florida 34119  
(239) 244-8808

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