

COVID-19 Underscores the Need for Voting Reform

Earlier this year, experts projected that voter turnout in the November 2020 election could be the largest in decades. Voter enthusiasm riding a surge that emerged in the 2018 midterms led these experts to estimate 65 percent or higher turnout among eligible voters, meaning more than 150 million citizens may seek to cast their votes (Olsen 2019).

With the outbreak of COVID-19, it has become clear that the United States cannot conduct a free and fair election under current conditions. Sixteen states postponed their primaries as concern about the virus spread; this is not an option in November. In states that have gone forward with voting, in-person turnout has plunged.

States such as Illinois and Florida experienced shortages of poll workers and emergency poll closures (Frostenson 2020). In Wisconsin, even though turnout swelled as over 1 million voters turned to mail ballots, thousands never received requested ballots due to backlogs, and more than 50 people who voted in person or served as poll workers have tested positive for COVID-19 (Bauer 2020).

Nobody should have to risk their life to vote. In order to avoid a nationwide breakdown like this in November, states need a massive infusion of resources into vote-by-mail capacity and provision of emergency, early, in-person voting centers. Verification of traceable ballots must be accurate and timely, and election officials need a transparent and standardized process to ensure an accurate count.



AP Photo/Morry Gash

Voters, masked to protect against COVID-19, line up to vote for Wisconsin's primary election on Tuesday April 7, 2020, in Milwaukee. More than 50 people who were present at the polls have tested positive for the novel coronavirus.

The 2020 Election Landscape

- 1** US rank among all countries for COVID-19 deaths
- 57** US rank among all countries for electoral integrity
- 23** percent of mail/absentee votes cast in the 2016 US presidential election
- 155** million potential 2020 US voters

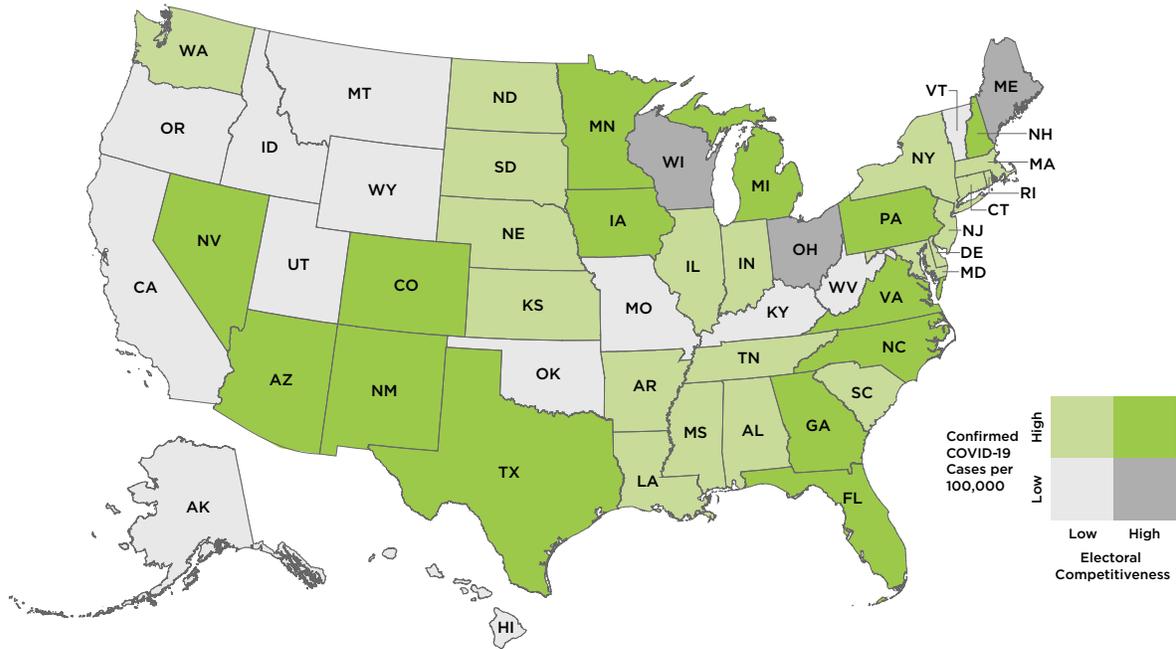
SOURCES: JHU CCI N.D.; NORRIS AND GRÖMPING 2019; EAC 2017; BROWNSTEIN 2019.

For the United States to hold a free and fair election in November, these emergency provisions are absolutely required. Numerous additional reforms are necessary if we hope to maintain our current standing as a democracy (Norris and Grömping 2019). These reforms include putting an end to gerrymandering, removing all existing barriers to voter eligibility, and ensuring that every voter is entitled to an equally weighted vote. But many states lack or do not provide basic protections that are needed now, leaving voters across the country at risk of being unable to exercise their voting rights freely and safely in November (see map, p.2).

Make Registering from Home Easy

Because normal, face-to-face voter registration procedures are not safe due to the threat of COVID-19, eligible citizens need easy ways to update their registration status. Only 18 states have automatic voter registration, which is both equitable and secure. Most states (39) provide some form of online registration, although many require an identification document obtained through their department of motor vehicles, limiting access. At a minimum, all states should have accessible online registration along with same-day registration (meaning eligible voters can register when they vote).

COVID-19 Poses a Particular Risk in States That Could Decide the Presidential Election



As of June 26 2020, a number of states with high rates of COVID-19 were also expected to be highly competitive in the race for president. Without measures to ensure voter safety, such as vote-by-mail options, turnout could be negatively affected and the election could be decided by states that already limit representation through barriers including gerrymandering and voter ID laws.

Notes: Data for the District of Columbia was insufficient. States were considered to have high levels of COVID-19 if they exceeded 504 cases per 100,000 residents.

SOURCES: DECLET-BARRETO 2020; DATA: JHU CCI N.D.

Make Vote-by-Mail Easy

The safest way for people to vote this November is for every eligible voter to receive a ballot in the mail that can be returned in a self-adhesive, postage-paid envelope or dropped off at a secure ballot box. Unfortunately, only six states have implemented universal vote-by-mail, and nearly half of states had 10 percent or fewer votes cast by mail in the last presidential election (see table).

Scaling up the country’s vote-by-mail capacity will require removing legal barriers to “no-excuse” absentee voting and massively expanding states’ capacity to generate, store, and process mail ballots. An emergency investment in the United States Postal Service, responsible for the “chain of custody” of ballots, will also be necessary, along with technology that can track ballots at each step of the process. Only nine states require ballot tracking by statute, and few of the 40-plus states that have any type of ballot tracking allow voters to follow their ballot through the chain of custody. We need full tracking to ensure a safe and secure process. States should also avoid adding unnecessary administrative hurdles to obtaining or returning mail ballots.

Ensure Safe and Sanitary In-Person Voting

Millions of Americans, due to disability, lack of access to mail, or other needs have no option but to vote in person. Strategically located voting centers (away from vulnerable populations—for example, not in senior center lobbies) should be established and opened at least two weeks before Election Day in order to prevent long lines and crowded polling places. Some form of early voting exists in 40 states, but only 25 open polls two weeks or longer before Election Day. Additional barriers, such as strict voter ID laws, need to be suspended unless states can provide necessary identification prior to the election.

It is possible to conduct safe and sanitary in-person voting with appropriate social distancing. By recruiting younger poll workers and following Centers for Disease Control and Prevention guidelines for precinct hygiene and sanitation, we can ensure that all voters, regardless of circumstances, have an equal opportunity to exercise their right to vote.

Electoral Preparedness in the United States

Voting Protocol	Number of States Currently Implementing
Automatic voter registration	18
Online voter registration	39
Same-day registration	17
No-excuse mail voting	35 ¹
Early in-person voting	40
Statutory ballot tracking	9
Adequate time to correct rejected ballots	8
Adequate rejection procedures	8
Audits with verifiable ballots ²	7
Voting Protocol Utilized in 2016 US Presidential Election	Number of States with More than 50% Participation
Vote by mail	7
Early in-person voting	15

1. Some of these states have additional requirements, such as notary or witness signature.

2. Ballot correction and rejection procedure quality are determined relative to recommended national standards and current practices in states such as Colorado and Utah. See UCLA VRP 2020.

SOURCES: BRENNAN CENTER FOR JUSTICE 2020; EAC 2017; NCLS 2020; VAH 2020; VRL 2020

Guarantee an Accurate and Secure Election Count

With an influx of mail ballots, states need a transparent and rigorous process for verification and ensuring that voters have adequate opportunity to correct ballot errors. Because mailed ballots are rejected at higher rates, and because rejection rates are higher among younger, Black, and Latinx voters, states must require signature verification training for verification judges and a transparent process for documenting challenged ballots. Only eight states currently use accepted best practices for verification, which include quickly contacting voters if there is a verification problem and providing alternative methods of rapidly verifying eligibility.

Election officials need time to process and validate election results accurately. The time required to process, verify, and audit mail ballots means that many election results may not be available on election night. States and election officials need to work with local media and political organizations to ensure that accurate information is being provided to the public in real time to maintain public confidence in the election process. It will take months to put these procedures in place. Congress must act now to ensure that states will have this capacity when it is needed.

For More Information

At the Union of Concerned Scientists, we know that voting is at the heart of people power in a functioning democracy. It is how we choose between competing policy agendas and priorities, how we govern the institutions that govern us. And, crucially, it is how we hold our leaders accountable when they fail to serve the public interest. This election, we are working toward a healthier democracy—one that represents the people and allows science to better serve the public. We, together with our partner organizations, are committed to ensuring that marginalized communities, such as communities of color and low-income communities, are at the forefront of the conversation so political decisions will be made on behalf of the public good rather than narrow special interests.

- To learn more about our work at the intersection of voting rights and environmental justice and how to get involved, please visit: <https://www.ucsusa.org/resources/help-build-healthier-democracy>.

Voting centers should be opened at least two weeks before Election Day to prevent long lines and crowded polling places.



Voting by mail may be the safest way for people to vote this November, but for many, voting in-person is their only option. Polling places must be located away from vulnerable populations and open early in order to protect voters and poll workers.

- To learn more about how voting works in your state using the WeCanVote app, visit: <https://wecanvote.us>.
- To keep up with changes in your state's election laws with the Voting Rights Tracker, visit: <https://tracker.votingrightslab.org>.
- The scientific consensus on necessary legal and procedural upgrades for the November election emerged through the work of many organizations, including the Brennan Center for Justice (<https://www.brennancenter.org/our-work/research-reports/estimated-costs-covid-19-election-resiliency-measures>), the UCLA Voting Rights Project (<https://latino.ucla.edu/votingrights/vote-by-mail>), the University of California, Irvine School of Law Ad Hoc Committee for 2020 Election Fairness and Legitimacy (<https://www.law.uci.edu/news/press-releases/2020/fair-elections-report.html>), and the National Taskforce on Election Crises (<https://protectdemocracy.org/update/national-task-force-covid-19>).

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