

Democracy Policy Network x SIPA

“Universal Voting” Toolkit

Last Updated: May 6, 2022

Introduction

The right to vote is the foundation of our democracy. It is the crucial component that ensures people have a voice and an equal say in political representation. Despite its importance, many [eligible voters are barred](#) from the polls and face inequitable barriers to voting.

The [infrastructure](#) of the U.S. electoral system is outdated, non-inclusive, and easily influenced by partisan politics. This, in addition to voter [suppression tactics](#), leads to significant burdens on racial minorities, immigrants, poor people, young and old voters, weakening our democracy and civic life.

Voter suppression and outdated electoral systems are not new in the U.S. They have a [long history](#), dating from the 18th century when only a small group of society had the right to vote. Over time, voting rights became a bipartisan priority, culminating in the [Voting Rights Act of 1965](#) (VRA) which made significant discriminatory practices that disenfranchised many illegally. But with progress comes pushback, and in [2013 the Supreme Court](#) greatly reduced the power of the VRA. Since then, states have been creating new obstacles to voting, targeting specific communities. In 2021 alone, at least [19 states](#) passed over 34 new laws that restrict access to voting. But legislators and advocates have the ability to fight back and [expand voting rights and access](#) through legislation.

Outlined are 32 elements that address multiple areas of the electoral system. Starting with the top ten most essential and impactful elements for improving voting rights, followed by recommended elements pertaining to who can vote, where they vote, and when they can vote, as well as election security and election administration. The implementation of these elements can expand the voter franchise and reform the electoral system, further strengthening our democracy. Voting rights are fundamental to the U.S. democracy and legislators must work to protect and expand them to guarantee that all voices are heard and all rights respected.

Top Ten Elements

1. Enact Automatic Voter Registration

One of the [main reasons](#) Americans do not vote is that they are not registered. Registration can be time consuming and even confusing, as, for example, [one quarter of Americans](#) wrongly believe their registration is updated when they change their address with the postal system. [Automatic Voter Registration \(AVR\)](#) addresses the barriers and confusion around voter registration, by automatically registering eligible voters when they interact with government agencies such as the DMV, or social services. This then creates an electronic list that improves accuracy and integrity around voter registration.

States should consider implementing AVR as [evidence](#) shows that it increases voter registration as well as voter turnout for elections. Oregon was the first out of the over 20 states to enact AVR. Since implemented in 2016, Oregon has seen registration [rates quadruple](#) at state agencies.

For legislators considering implementing AVR, there are four variations that need to be considered.

First, states should consider what [government agencies](#) are covered as part of AVR. While nine states automatically register people to vote at DMV offices only, over ten states have AVR at DMV offices and multiple other government agencies such as County and City Departments of Social Services.

Second, states should determine a method for an [opportunity to decline](#) registration, either during the agency encounter, or afterwards via mailer.

Third, states should create [protections](#) for certain groups who may be inadvertently registered. For example, in [Oregon](#), survivors of domestic violence/sexual violence/stalking will have to address confidentiality so their information is not transferred to election officials.

Fourth, states should have education campaigns to inform the public about AVR and how to opt-out. [California](#) created a strong outreach campaign when they first enacted their AVR law.

2. Enact Same-Day Voter Registration

States should offer Same Day Registration (SDR), which allows eligible voters to register to vote and cast their ballots on Election Day (or during any early voting period). SDR significantly reduces the barrier to entry for voters and has been shown to be associated with [increased voter turnout](#).

The benefits of same-day registration are clear:

- Voters often tune into elections in the final weeks before Election Day, and will only consider registering during this time period
- Voters that move may not realize that they have not been added to the voter roll until they show up on Election Day
- In particular, young, low-income and non-white voters are among the demographic groups that move more frequently, and same-day registration can make it easier for these groups to update their registration. Research has shown that same-day registration could increase youth turnout by as much as [14% percentage points](#).
- Reduces the need for provisional ballots, which are rejected nearly 25% of the time. In Iowa, after SDR was adopted, provisional ballots dropped by 67%

Depending on the state, this one-stop process for registering and voting may be offered on Election Day, during the early voting period, or both.

When implementing SDR, states should consider (1) proof of residency requirements and ID requirements, (2) polling place physical logistics, (3) registration technology, (4) voter education, and (5) serving special populations. Additionally, well-executed SDR requires properly recruited and trained poll workers, which is discussed below.

First, states should require proof of residency for voters through SDR. Typically, pre-Election Day registration allows election officials to send a non-forwardable mailing to voters to verify their place of residence, before processing their registration. With SDR, voters must therefore bring proof of residency to the polling place or election board—which may include allowing an already-registered voter to vouch for a same-day registrant, a paycheck or utility with an eligible address, or a current driver's license or ID card.

Second, states should physically organize their polling places to reduce confusion and congestion around SDR. As explained by Demos in their [SDR explainer](#), the optimal configuration will separate the site into an area for registration and an area for voting, and have a staff person trained in SDR. Excluding the smallest precincts, states should set up separate and clearly marked tables for registering, and include signs or human assistance to reduce confusion and manage foot traffic.

Third, states should allow for voters to use laptops at the polling place, where registrants can fill out their voter registration under the supervision of a poll worker. For those without that technological capacity, states should allow voters to fill out their paper registration card in line, as opposed to only at a registration table.

Fourth, states should focus on educating voters about SDR, as [SDR is most effective at increasing voter turnout when states properly educate voters about its availability](#). In this education campaign, states should advise voters the existence of SDR and any documentation needed to complete their registration. See element 28 for greater discussion of voter education efforts. With respect to SDR, specifically, in Bannock County, Idaho, for example, election officials partner with Meals on Wheels to distribute information, while the Minnesota Secretary of State's Office provides a fifteen-minute video online to prepare voters for Election Day. Working with the college chapters of political parties can be a great resource for getting information out to college students.

Fifth, states should consider how to best serve their special populations, including the unhoused, military, and student populations. Distributing information to these populations can go a long way to preparing them for SDR. For homeless populations, in particular, Wisconsin allows such persons to designate a homeless shelter, park bench, or other fixed locations as their residence for registration purposes, and acceptable identification may include letters from homeless shelters or service-providing organizations.

[Sun Prairie, Wisconsin](#) is a strong example for SDR: they recruit poll workers through word of mouth and partnering with high school social studies programs, hold multiple training sessions for poll workers, solicit recommendations from poll workers for future elections, use greeter judges to provide voters with an information card informing them of where they are eligible to

vote and of acceptable documentation for SDR, and use laptops during every step of the voting and registration process.

Lastly, while some have raised security concerns with SDR for states, in fact, states that have implemented SDR consider it a [more secure form](#) of registration because of the identification requirements and the fact that registrants are meeting with a poll worker face-to-face.

3. Implement Automatic Vote by Mail

For many potential voters, there are barriers to in-person voting such as transportation, childcare, health, work commitments, and poll lines. Voting by mail mitigates these issues and expands access and ease for many to vote. States should implement automatic vote by mail, where everyone is mailed a ballot.

[8 states](#) currently allow all elections to be conducted by mail, meaning that all registered voters are sent a ballot automatically. Voters can then mail back their ballots, or put their ballot in a drop box.

States should also prepay for postage on ballots, to make it even easier and more cost effective for voters, such as in [Oregon](#).

While some may worry that automatic vote by mail elections may increase voter fraud or benefit a specific party, there is [no evidence of either issue](#).

[Oregon](#) is a strong example of automatic vote by mail elections, as the majority of voters support this method and it has been shown to increase voter turnout.

4. Implement No-excuse Absentee Voting

Currently, 26 states and Washington, D.C offer no-excuse absentee voting, meaning voters can request and cast a mail ballot for any reason.

In terms of no-excuse absentee voting, states allow voters to request ballots through several means: in [Florida for example](#), voters can request a ballot from the Board of elections through email, fax, phone, mail or in-person, and just must provide name, address, date of birth and their signature. Additionally, voters are allowed to designate a family member to pick up their absentee ballot.

To return absentee ballots, voters should be able to either mail-in their ballot or use a drop box. Details on how to effectively organize drop boxes are provided below. For mail-in voting, states should make pre-paid postage available. [For example, in Delaware](#), 15 Del. Code § 5504 allows for ““Postage for all mailings made pursuant to this subsection shall be prepaid by the Department.”

5. Expand Early Voting

Currently, 15 states do not allow for citizens to vote in person *before* Election Day. Voting on a single day is inconvenient for voters, poll workers, and election administration officials. For voters, this is especially true, as election day is a Tuesday, and often it is only during business hours when a voter is working or taking care of their children. In the 2014 midterm elections,

[voter turnout \[across the U.S.\] significantly](#) dropped to 36.4%, with the number one reason Americans didn't vote is that they were "too busy".

To increase voter turnout, states should expand early voting opportunities. Early voting reduces stress for voters and poll workers on election day, decreases line lengths, [improves poll worker performances](#), and allows for earlier identification and correction of errors and system glitches.

[Ohio](#) is a strong precedent for how to implement early voting impactfully. After implementing early voting for the 2020 election, voter turnout was three times higher than in 2016.

When enacting early voting, states should consider (1) the length of the early voting period, (2) the hours per day for early voting and (3) the locations for early voting.

First, states should consider offering the most amount of time to vote early as possible. A strong minimum would be [at least two weeks](#) of early voting. Of the 35 states that currently offer early voting, the early voting period ranges from three to 46 days prior to Election Day, with an average of 23 days.

Second, states should also offer a set minimum of daily hours with extended hours outside of normal business hours and including weekends. Of the [35 states](#) that offer have early voting, 22 states and D.C allow for varied weekend voting.

Third, states should offer early voting opportunities in both private and public facilities in order to meet local logistical and capacity needs. States with the [highest](#) early in-person voting rates all allow for a range of voting locations, not just government buildings which can be limiting.

6. Establish an Independently-Appointed Chief Election Official

Currently, the administration of elections [varies dramatically from state to state](#). In most states, a partisan chief election official – usually the Secretary of State – is directly elected. In other states, the chief election official is appointed by the state legislature or the governor. Still, others administer elections through bipartisan election commissions or boards, whose members are appointed by political parties. In states where the chief election official is the Secretary of State, elections are only one portion of the official's range of administrative responsibilities.

To minimize partisanship and increase the efficiency of administration, states should establish a single chief election official, with the sole responsibility of administering elections, who is appointed by an [independent nominating commission](#).

No state currently uses an independent nominating commission to appoint its election officials. However, many do use [independent citizen-redistricting commissions](#) to reduce partisan influence in the redrawing of electoral districts after each decennial census, and a similarly-constructed commission could be utilized to appoint less partisan chief election officials.

California has the [gold standard](#) for independent citizen-redistricting commissions. Applications for seats on the commission are open to all registered voters in the state. A multi-party panel first reviews applications and selects three equal-sized sub-pools of Democrats, Republicans,

and applicants not affiliated with either major party. The state legislature is allowed to strike a certain number of individuals from each sub-pool. Then, the first eight members of the commission are drawn randomly from each sub-pool, with three Democrats, three Republicans, and two non-affiliated members. Lastly, these first eight members can select the next six members, which must be two Democrats, two Republicans, and two non-affiliated applicants. The result is a 14-member commission of regular citizens, balanced between the two major parties and those who are not affiliated with either of them.

Selecting a Chief Election Official using such a commission would help insulate elections administration from undue partisan influence.

7. Prohibit Voter Photo ID Requirements

Burdensome Identification requirements for potential voters block [millions of Americans](#) from voting. As many as [11%](#) of potential voters do not have the photo ID that is required by states with strict requirements. This number is higher among [certain populations](#), such as seniors, people with disabilities, students and minorities. [Nationally, up to 25%](#) of Black eligible voters do not have a government-issued photo ID compared to 8% of whites. Unnecessary voter photo ID requirements [reduce voter participation](#) and deprive many of their voting rights.

[Ten states](#) now have unprecedented restrictive voter ID laws. While these states have legal precedents that require the state to produce free government issued photo ID, they are often not accessible for potential voters due to cost and other barriers. Currently, [34](#) states have an identification requirement at the polls and 16 states do not. The states that do not instead accept a range of methods for identification.

States should not require restrictive photo ID laws to vote, but instead accept a range of more accessible documents as proof of identification.

[California is a strong example](#) of a state with no voter photo identification requirements that accepts a wide range of alternatives when necessary. In California, if you are not voting for the first time, you do not need any ID. If you are a first time voter, or voting in a federal election, and do not have a diverse license, state ID number, social security, you can provide any of the following to vote:

- Driver's license/passport/employee ID card
- ID card provided by commercial establishment
- Credit or debit card
- Student ID card
- Insurance plan ID
- Public housing ID
- Any document that includes name and address such as utility or bank statement, government check, lease or rental statement, or property tax statement, among others.

8. Replace Old Voting Machines

Currently, a majority of states use voting machines that are over a decade old, [considered by experts](#) to be beyond the predicted ten-year life span of the machine.

In lieu of the wide slate of issues that arise from outdated voting machines, states should replace and upgrade all voting machines and relevant components that continue to use outdated operating systems to new models that correspond to federally certified and modern standards. Replacements should take place through a law that establishes a specific time frame in which changes must be made to voting machines, of which should be no more than 10 years and should be included in the procurement process with vendors.

Election jurisdictions in at least [31 states](#) will require new machines in the next five years. Outdated voting equipment poses serious security and reliability risks to the electoral process. It increases the likelihood of risks of failures and crashes on election day, which can lead to long lines, potential lost votes, severely damage voter confidence and undermine the democratic process.

States operate through obsolete systems that depend on unsupported software such as Windows XP and 2000, which don't receive regular patches, leaving them more susceptible to cyberattacks. Furthermore, they utilize outdated hardware, meaning it is extremely difficult to find replacement parts. Glitches in the functionality of voting machines have also proven to be able to alter votes. In the 2016 general election, there were reports of votes being "flipped" during early voting taking place in [Nevada](#). While voters were able to correct the error before casting their vote, the machines were removed from their respective counties.

Many states use voting machines that were bought prior to current federal certification and testing programs. Therefore, these older machines may present concerning security flaws, including hacking vulnerabilities, which under current standards, would be unacceptable.

9. Create a Comprehensive Post-Election Audit Protocol

States should create a comprehensive post-election audit protocol that will verify paper ballots or records against the results produced by the voting system to guarantee accuracy. This process usually occurs via voter-verified paper audit trails that are produced by direct-recording electronic voting machines (DREs), voter-marked paper ballots or paper ballot records that are produced by ballot-marking devices. Unlike recounts, audits occur regardless of the margins of victory.

[Currently](#), four states have statutory requirements for risk-limiting audits, including Colorado, Nevada, Virginia and Rhode Island. Indiana and Georgia have statutory requirements to conduct risk-limiting audit (RLA) pilots, while California, Ohio, Oregon and Washington all provide options for counties to run RLAs.

The auditing process is used to inform election officials if the integrity of voting systems have been compromised in any way, and can serve as a means to impede fraud. A thorough post-election audit also provides a much-needed basis for public confidence that has proven to

be suspicious of voting systems. Finally, the process is also advantageous to avoiding full recounts by indicating when a recount is actually necessary to verify election results.

Post-election audits have proven to be effective in verifying election outcomes such as in 2006, when absentee ballots in an Iowa county primary election were mistakenly awarded to the wrong candidate due to faulty ballot programming, requiring a hand recount that ultimately altered the outcome in the contests. A [routine audit in Palm Beach County in Florida](#) identified that two city council races received the incorrect outcomes.

However, post-election audits tend to be time-consuming and costly for election administrators, and most processes include an element of hand-counting paper records, which is more likely prone to error. To ensure that audits are implemented in all elections, states should implement [risk-limiting audits \(RLA\)](#). Considered to be the gold standard of audits, this process uses statistical methods and a manual review of paper ballots that voting equipment has accurately reported the outcome of a certain election. The narrower the margin of an election, the more ballots are required to be audited, until enough evidence confirms the results of a race. "Risk-limit" is the maximum chance that the audit will fail to correct an incorrectly reported outcome. A 20% risk-limit means that there is an 80% chance that the audit will correct an incorrect outcome.

RLAs are more cost-effective and efficient by reducing the number of ballots that need to be analyzed to confirm an election. They also provide stronger statistical evidence that the winner of a race did actually receive the largest number of votes.

There are [three different types of RLAs](#): ballot-comparison, ballot-polling, and batch comparison. Ballot-comparisons randomly select paper ballots, examine and interpret voter marking manually and the human interpretation of voter intent is then compared to the machine and system's interpretation of the same ballot according to cast vote records. Ballot-polling randomly selects individual paper ballots and then voter markings are examined and interpreted manually. If large enough samples indicate a significant enough majority for the alleged winner, the audit comes to a halt. This method provides convincing evidence that the reported outcome is correct but cannot identify whether a specific ballot was mistabulated. Finally, batch comparison export subtotals for identifiable physical batches of ballots scanned together as a batch by a specific machine. Auditors then add up the batch comparison results to ensure that they produce the reported contest outcomes. If they do, some batches are then randomly selected. Votes are then manually examined and tabulated and the audit counts are compared to the voting system's reported subtotals.

Colorado [Election Rule 25](#) established a post-election audit protocol that conducts comparison audits, where counties receive a list of specific ballots that are to be examined and then voter markings are to be replicated in an open-source software application.

10. Improve Language Access

Language access continues to be a barrier to vote for many limited English speaking Americans. While the [Language Minority Provisions](#) of the Voting Rights Act (VRA) provides basic language access mandates, it does not cover all potential voters' languages. The [VRA](#)

[Section 203](#) requires that all election information and materials must be covered for certain language minorities including, American Indians, Asian Americans, Alaskan Natives, and Spanish speakers. Additionally, a jurisdiction is covered under Section 203 if the number of US citizens of voting age is a single language group of more than 10,000 people, or over 5% of all voting-age residents.

However, [in many jurisdictions](#) certain languages do not meet this threshold and thus there are barriers for potential voters, specifically low-income people, people of color, and immigrants.

In evaluating how to provide accessible materials for voters of languages not covered by the VRA, legislators should consider (1) the threshold requirement, (2) potential languages that should automatically be covered, (3) and election administration staff dedicated to language access.

First, states should [lower the threshold](#) for language assistance coverage for a single language group from 5% or 10,000 people in a jurisdiction. [California](#) successfully lowered the threshold and requires language assistance efforts for precincts in which at least 3% of voting-age citizens are limited English proficient.

Second, states should [automatically require coverage](#) for widely spoken language not covered by Section 203. [Maine](#) now requires all electoral information and ballots to be available in French in every jurisdiction.

Third, states should add a [bilingual coordinator](#) to permanent election administration staff to ensure that there are no language barriers to vote. This coordinator can be in charge of strategizing how to serve certain limited english proficient voting groups, as well as educating voters.

[New York City](#) took an innovative approach to expanding access to limited English proficient speakers. In N.Y.C, there are Spanish, Korean, Bengali, and Korean interpreters at polling sites, however N.Y.C residents speak over 200 languages and 37% of residents are immigrants. In 2019, the city placed interpreters at specific polling sites who could provide assistance in four additional languages for voters.

Additional Elements, by Category

Who, Where, When

11. Establish the Vote Center Model

Currently, 32 states only allow individuals to vote in traditional, neighborhood-based precincts. Voting at a single location is inconvenient for voters, who often can find themselves near a voting center that is not their “own” due to commuting, or other personal responsibilities.

States should implement a Voter Center model for elections. A Vote Center model, [initially piloted](#) by Larimer County, Colorado “allow registered voters in the county to vote at any designated vote center, not just their precinct’s location.” These centers are strategically placed throughout a given county in heavily trafficked areas to optimize accessibility. States and

counties that have adopted the Vote Center model consider it an overwhelming success: Republican State Senator Ron Alting of Indiana is quoted as [saying](#) “Vote centers are an absolute no-brainer...We had unanimous support with Democrats and Republicans in those counties.”

Political Scientist Robert Stein from Rice University says his research has shown that centers [increase voter turnout](#).

Additionally, the Indiana Fiscal Policy Institute [found](#) that compared with precinct voting, vote centers are expected to be cheaper by 29 percent to 54 percent, depending on the county.

In evaluating whether and how to expand to a Vote Center model, legislators should consider the following issues: (1) appropriate ballot for each voter’s address, (2) electronic poll books, and (3) voter education.

First, to ensure they have appropriate ballots, states should use either by using print-on-demand systems, electronic voting equipment systems that can reset for each voter or at least a sufficient supply of all the different paper ballots required in that county.

Second, states should have [electronic poll books](#) that allow poll workers to look up a voter’s registration, get the proper ballot, and enter data. Poll books must be networked to prevent voters from casting multiple ballots.

Lastly, states need to engage in proper voter education: voters need to know that they won’t be voting at the usual school or church, and administrators need to have sufficient voting equipment available to accommodate expected turnout.

As an alternative, if states cannot pass a Vote Center model, they should still work to allow affidavit ballots to count if the voter is eligible to vote, but inadvertently completed their ballot at the wrong poll site in their county.

12. Allow Pre-registration for 16 and 17-year-olds

Currently, individuals must be 18 years old by the time of Election Day to be an eligible voter. However, 14 [states and Washington D.C.](#) allow for the pre-registration of 16 and 17 year old voters. Pre-registration allows for 16 and 17-year-olds to register to vote before turning 18, so that when they turn 18 they are automatically eligible and registered to vote. Encouraging participation of 16 and 17 year olds in the electoral system can boost future turnout. Pre-registration is important because it encourages young voters to be engaged with the electoral system early, and increases the number of eligible voters.

Florida is a strong example that shows the impact of pre-registration. [A study](#) of their pre-registration program found that young people who pre-registered were 4.7% more likely to vote in the 2008 elections compared to those who registered once 18. This rate was higher for Black voters who pre-registered. This is a strong example of how pre-registration can increase youth engagement in the electoral system.

In states with [Automatic Voter Registration](#), pre-registration is easy to implement as many 16 and 17-year-olds interact with agencies such as the DMV for driver's licenses. This can then allow young future voters to pre-register automatically when interacting with government agencies.

[New York](#) implemented pre-registration for 16-year-olds. In New York, future voters fill out voter registration applications online, or at a local election office, or the Department of Motor Vehicles. They are then automatically registered to vote when they turn 18. This law was enacted in response to low voter turnout of young people in the 2014 midterm [elections](#).

To encourage an increase in voter participation, states should [standardize identification requirements](#) for those youth without licenses or permits, including the option for a signed affidavit by a guardian when pre-registering.

Once states implement pre-registration they should send notifications to voters who pre-registered before they turn 18 to [confirm](#) that their information and voting address is the same as when they pre-registered.

States should require [coordination](#) between high schools and local election boards in order to have young people informed of the opportunity to pre-register and how they can pre-register. This can include [voter registrations drives](#) in high schools as well as voter education collaborations with local community groups.

13. Improve and Ensure Access for Disabled Voters

Voters with disabilities face [countless barriers to voting](#): in 2020, 18% of disabled voters reported difficulties when voting, and, adjusting for age, 7% less voters with disabilities vote than voters without disabilities. A [report](#) from American Progress extensively details the challenges that voters with disabilities can face.

States should improve and ensure access for disabled voters. Improving access for disabled can take many forms, and several of the elements mentioned here are steps towards improving access, such as permitting vote by mail and allowing for automatic voter registration. There are several specific considerations states should make when expanding disability access, including audits on accessibility and specific pro-accessibility policies.

First, conducting audits on accessibility can identify the highest priority areas of improvement for a given state. Processes for states to consider are: voter registration systems and processes; election administration procedures and worker trainings; polling place practices; voting machinery and location check-in equipment; and the availability and distribution of election-related information and materials. In the process of auditing, election officials should be sure to consult disability advocates to better understand community needs. [Colorado is a gold-standard](#), where the state conducts county-by-county audits after every election to review whether accessibility standards are being met.

Second, there are a handful of specific policies that states should be sure to enact if necessary. It is important for states to properly educate [poll workers](#) on how to make voting accessible, and also to actually hire disabled workers at polls.

Voting locations should be located near public transportation and should be located in ADA-accessible buildings with pickup and drop-off areas.

They should also offer flexible curbside voting options for disabled voters. Voters should be able to notify poll workers without needing to use a cell phone, and these areas should be properly staffed.

Similarly, there should be numerous and convenient ballot drop boxes with accessible paths and an ADA-compliant setup.

Officials should provide plain language formatting and American Sign Language translations for all literature around voter rights and responsibilities

States should also assign a chief voting authority accessibility officer that can be focused on implementing these issues.

14. Prevent Voter Purges

[Voter purges](#) are processes intended to clean up voter rolls by deleting certain names from voter registration lists. Names are removed if a voter dies, moves, or becomes ineligible. This process is important for efficiency and election integrity, however, when done incorrectly or irresponsibly, it can remove eligible voters. Additionally, some extreme campaigns may promote purge practices as a way to suppress certain groups of voters. A voter purge occurred in the [2016](#) presidential primary, where voters in a certain district in Brooklyn showed up to vote and found their names missing. Over 200,000 voters had been removed and did not know.

When maintaining voter registration lists, states can implement practices to avoid incorrect purging of voters.

First, states should [audit source lists](#) and review the accuracy of any lists of ineligible voters.

Second, states should conduct any voter list maintenance in far advance of an election. This should be in [compliance](#) with the Voting Rights Act which requires purges to be completed 90 days before a federal election.

Third, states should encourage voters to check their registrations statuses in advance of elections.

Fourth, states should give [public and individual notice](#) of any voter list maintenance in advance. Individual notice should include the opportunity to correct any errors.

Fifth, states should [maintain a list](#) of purged voters on election days so that if a name is not on the roll, the eligible voter can still cast a ballot.

[Pennsylvania](#) is a strong example of a state that gives individuals written notice before any systematic voter list purges. [Virginia](#) also produces a comprehensive report each year of any voter list maintenance for officials and voters before any purge occurs.

15. Create Incentives for Voting

States should consider incentivizing voting in creative ways. There are several examples of how states can incentivise voters to go to polls, such as entering voters into a lottery system, paying voters, or mandating voting through fines for noncompliance.

In terms of a lottery system, states should consider a similar method to one piloted in Los Angeles, where a nonprofit entered every individual who voted in a school board election into [a lottery](#), where the winner received \$25,000 dollars. In this instance, there was not a substantial increase in voter turnout, but similar programs with better publicity could incentivize voters to head to the polls.

Several small-scale randomized controlled trials have found a positive relationship between providing [incentives to vote](#), although ballot measures in the past have faced opposition due to a concern about “demeaning the value of voting.” Outside of passing laws to offer rewards for voting, it would be possible to partner with election boards and businesses to offer non-partisan rewards to people for voting, such as certain discounts or free merchandise.

Another option that is popular internationally that states can pursue is implementing mandatory voting. While 26 democratic countries around the globe use a mandatory voting system, the longest-lasting program exists in Australia, where voters are fined no more than \$180 for not voting (voters will face subsequent fines for not responding to their original penalty, and penalty amounts vary by election type). [Australia introduced compulsory voting in 1924](#) – at the election held two years previously, only 59.39% of eligible voters had voted. In subsequent elections, the turnout has never been lower than 90%. While voters are allowed to submit excuses, the government enforces this law relatively strictly.

However, many other countries have implemented variations of compulsory voting. For example, in Brazil, voters are levied a fine, but are also not able to get a new passport or ID, run for public office, and complete other items requiring public assistance.

There are concerns with punishing voters for not voting though: in areas where voting lines can be long and there are no voting holidays, fines can disproportionately affect lower-income individuals who cannot afford to take time off from work and wait in line to vote.

16. Enact Election Holidays

States should instate Election Day holidays to improve voter turnout. Creating state holidays for both Primary Elections and General Elections can greatly reduce the burden of voting, especially for lower-income voters who cannot afford to miss a paid day of work.

Additionally, having Election Day holidays can serve to reduce line times, which generally occur before or after standard work hours. This redistribution can improve turnout for individuals who get the day off and can vote in the middle of the day, as well as those people who have to work, but will face more manageable lines before or after work.

In [Indiana](#), the state authorizes both Primary Day and General Election Day as state holidays, in the same way that Christmas and Thanksgiving are authorized. While private employees still

may end up working on these days, having a government-sanctioned holiday can go a long way to normalizing taking time off from work to vote, as well as actually mandating time off for civil service employees and closure of public schools.

While there are also [federal bills](#) currently being reviewed to make federal even-year elections a federal holiday, states should preemptively move to do this on the local level, while simultaneously supporting federal-level efforts.

Building a culture around the holiday will also be essential - state board of elections, or ad hoc committees, should work on partnering with local business and civic groups to promote excitement around voting. In Australia, voting sites are typically stationed with [barbecues, baked goods, and entertainment](#), which serves to amplify the importance of the voting holiday.

17. Mandate Public University Civic Education Programs

Voter registration and participation by the nation's young eligible voters is disproportionately low due to a number of factors, including frequent changes in residence, intimidating registration processes, and general low awareness of who or what is on their ballots.

States should mandate and fund the establishment of civic and voter education programs at all public post-secondary educational institutions. This includes requiring that each school identify a campus civic education coordinator as well as a civic education plan.

California enacted the gold standard student civic education [legislation](#) in 2019. The state's *Student Civic and Voter Empowerment Act* requires that all schools in the California Community College, the California State University, and the University of California systems establish a civic education program and hire a Civic and Voter Empowerment Coordinator to promote students' civic participation. It also guarantees funding to reimburse schools for implementing these programs. Nationally, the [Students Learn Students Vote](#) coalition is making strides in the field of voter education, with their [Voter Education week](#), where the organization distributes materials to campus organizers and businesses on voter registration, elections, and ballot initiatives.

Election Security

18. Require Vendors to Provide Software Updates and Patches through the Procurement Process

Currently, vendors may or may not be required to provide software updates and patches to states that utilize their services because existing procurements have failed to include language that guarantees this form of maintenance.

Voting machines and services must receive necessary updates and patches to guarantee that states are using the most updated version of the software. This process ensures that vendors address required enhancements to tackle vulnerabilities, bugs, and other possible issues. Furthermore, it stipulates a continuing commitment from the vendors to cybersecurity and software performance through the duration of a contract. States should therefore include

mandatory patching and patching practices as a part of a vendor request for proposal (RFP) contract.

During the vendor selection phase, states should ask for vendors to specify what their patch management and update process entails to have a better understanding of the maintenance services that are to be provided. Officials should also consider including language that specifies that vendors will provide the necessary updates and patches with no further costs.

Chicago successfully elaborated an [RFP](#) in which it requires vendors, manufacturers or subcontractors to provide any modifications or improvements in software free of charge to the state. The vendor must provide all new releases, updates and software patches without any additional cost throughout the warranty period and deliver them within ten days after the new release or upgrade.

19. Replace Paperless Voting Machines with Systems that Have a Voter-Verified Paper Backup of Every Vote

Election security experts have [repeatedly deemed](#) paperless voting machines or direct-recording electronic systems (DRES) as an election security hazard. The lack of an auditable paper trail puts vote tabulation at risk of producing inconsistent results with voters' actual choices, due to either technical errors or hacking.

Most states nationwide have adhered to the use of hybrid digital-paper solutions which include a voter-verifiable paper audit trail (VVPAT), however, [counties in](#) Indiana, Kansas, Kentucky, Louisiana, Mississippi, New Jersey, Texas and Tennessee still exclusively use paperless machines.

States should require voting jurisdictions to replace DRESS with systems that have a voter-verified paper backup of every vote through a VVPAT. Since the 2018 elections, jurisdictions nationwide have adhered to transitioning from DRES to VVPAT, replacing old machines with new equipment.

As of 2020, [Pennsylvania](#) successfully fully transitioned to using paper-based machines in all 67 counties. It is important to note that this transition is costly to counties and that they will require additional funding to do so. States should therefore include the necessary resources to ensure that all counties can purchase new machines. Pennsylvania Governor Tom Wolf provided these funds by [issuing bonds](#) through the Pennsylvania Economic Development Financing Authority (PEDFA) and making grants through the Department of State.

20. Ensure Physical Security of Drop Boxes

For states that offer drop boxes for absentee or early voting, states should take steps to ensure the physical security of those drop boxes to avoid [potential distrust](#) in the drop box system. According to the [Election Assistance Commission \(EAC\)](#), states should consider the following:

First, in terms of location, if drop boxes are unstaffed, boxes should be fastened to a stationary surface or immovable object, and have good video surveillance.. If they are outdoors, boxes should be placed in well-lit locations. If they are indoors, boxes should be placed where they can be monitored by a live person.

States can also consider placing boxes in higher traffic areas, and having periodic check-ins from election staff or law enforcement.

Second, on staffing, only an election official or a designated ballot drop box collection team should have access to the keys and/or combination of the lock. And states should require chain of custody logs to be completed every time ballots are collected.

Third, states should be sure to keep boxes locked at all times, and employ tamper-evident seals.

The state of [Virginia](#) sets an example of security standards for the physical security of drop off boxes, in which it details the physical security requirements for secured drop boxes as well as physical security requirements for staffed drop-off locations.

21. Review Physical Access Controls to Polling Sites and Machines

Similar to ensuring the security of external drop boxes, states should also take measures to secure voting sites. The physical security that states should consider refers to standards, procedures, and actions taken to protect voting systems and related facilities and equipment from natural and environmental hazards, tampering, vandalism, and theft.

The State of Texas has compiled a [comprehensive checklist](#) of election security best practices, the most important of which are highlighted below for states consideration:

- 1) Ensure that every election function from ballot programming to Election Night Reporting uses a two-person verification method in which one person performs the task and a second person witnesses and verifies the accuracy and integrity of the result
- 2) Establish a chain of custody documentation process for election systems that cover all movements and ownership of a given system
- 3) Never leave systems with network access unattended unless they are in a locked area.
- 4) Control physical access to election equipment at all times and utilize tamper evident seals for integrity protections, even when they are not in use for elections.
- 5) Set up a secure perimeter with functioning conventional or digital locks protecting all entry points.
- 6) Use trackable access codes or keycards if possible, or at minimum implement entry and exit logs to track entry to secure areas where election systems are located.
- 7) Use an access control key or password witnessed by one or more individuals when securing election equipment. Document the use of an access control key in a log dedicated for that purpose and have a witness sign the log.

- 8) Monitor all entry and exit points to election facilities with cameras that have recording capability and have security personnel patrol the area when possible. Review the camera footage if an incident occurs.

22. Create and Implement Cybersecurity Training Plan for State and Local Officials

Despite the growing risk of cyber-attacks and malfunctions that take place on Election Day, election officials lack formal training on how to detect, avoid and fight cybersecurity attacks. This entails educating the workforce to better understand cybersecurity issues, how to identify risks, and be proactive in face of cyber vulnerabilities.

It is essential to provide and implement training for local officials in states on how to avoid potential cybersecurity attacks because of the serious threat it poses to government and voters as well as the financial and organizational toll it takes on states. Investing time and resources into building cybersecurity training programs will also assist local governments in weathering any incidents.

Currently, local officials are especially susceptible to falling victim to ["spearphishing" emails](#) – emails that seem to be authentic, however, extract sensitive information such as passwords from victims. Hackers then use such information to invade electoral systems. Election officials must be trained to identify phishing emails and other invasive tactics used by hackers.

To ensure that election officials are prepared for any challenges or risks that might take place on Election Day, states should develop a training plan that includes elements such as an interactive training course, regular testing, compile test results and improve through adjustments to the training program and retrain election officials regularly.

23. Create and Implement Contingency Planning for Software and Hardware System Failures

System failures and hardware malfunctions are dreaded but certain to occur at some given point on Election Day due to the outdated software and hardware used in most states, as well as constant cybersecurity risks and insufficient training and resources to deal with these challenges. American intelligence agencies have [unanimously concluded](#) that cyberattacks on election infrastructure are an imminent risk.

Attacks that states may suffer include hacking of election websites that provide voting information such as polling sites, voting times and registration status or cyberattacks on registration systems or electronic poll books to purge voters from voter rolls, change their designated polling location, or incorrectly indicate that they have already voted.

While it is ideal to have a structure that first and foremost prevents potential attacks, it is essential that states are able to effectively and quickly recover if these preventative efforts fail. States must therefore develop a [contingency plan](#) that anticipates the wide array of potential failures in electronic voting systems.

For example, election officials should ensure that there are enough emergency paper ballots in locations that use electronic machines so that machine failures do not lead to long lines or lost

votes. They should secure paper backups of electronic poll books in every polling location to avoid the failure of these tablets that keeps voters from casting their ballots. Finally, states should establish alternative election night reporting sites that are readily available in the event that the main site is attacked and be prepared with a robust communications plan to ensure credibility in the electoral process.

24. Perform Mandatory Pre-election Testing on All Voting Machines, as well as Continuous Vulnerability Analysis

Currently, [most states](#) already have legislation that requires state officials to test voting machines and equipment in the weeks and months prior to an election. States vary from requiring that all voting machines be tested to others that permit testing a sample group of machines. While this procedure may be expected by many states, it is not necessarily a step that is always taken in the build-up to Election Day.

Pre-election testing of all machines and vulnerability tests are essential steps that states can take to mitigate machine-related problems on Election Day and preserve voter confidence in the election process. States should therefore implement mandatory pre-election tests on all voting machines and equipment prior to Election Day and early voting, including e-poll books. This process should be carried out with public notice and in a public forum to increase transparency and public confidence. To ensure sufficient time for mitigation, testing should take place with enough time and in case any irregularities are observed, they should be reported immediately to election officials responsible for overseeing election administration and security. This information should then be shared with states, localities and federal agencies to alert other jurisdictions and their election administrations about any potential threats or complications.

Furthermore, vulnerability analysis should be carried out continuously on all election machines and voter registration databases through system penetration testing and vulnerability scans to fully comprehend the extent of any election-related risks. These assessments will allow states to be better positioned to evaluate where government resources should be allocated and plan accordingly for preventative measures.

States should refrain from allowing equipment vendors or election administrators to carry out the vulnerability analysis considering they may have an interest in downplaying machine or system vulnerabilities and minimizing shortcomings in election machines. States should therefore hire qualified, impartial professionals or even state agencies to implement the analysis of their election infrastructure. Finally, states should require and implement automated scans on voter registration databases to detect suspicious activity as soon as it happens.

25. Update and Secure Outdated Voter Registration Systems and E-Poll Books (Status: Needs DPN Review)

Currently, [41 states and the District of Columbia](#) use voter registration databases that are more than ten years old. This leaves states vulnerable to cyberattacks that, if successfully breached, hackers can delete or alter voter registration information. Consequently, this may result in eligible voters being turned away at polling sites or prevented from casting their ballots. In the case of states with strict voter ID laws, this could mean that otherwise eligible voters would be

unable to vote due to discrepancies between the name listed in an official poll book and their ID. Furthermore, if hackers are able to delete or change a registered voter's political affiliation, individuals could be prevented from voting in partisan primaries.

In 2016, there were approximately [150,000 attempts](#) to penetrate South Carolina's voter registration database on Election Day. Over [40 million](#) voter registration records are currently being sold on the dark web. The antiquated voter registration system that states rely on places voter privacy and the ability of eligible voters to cast ballots that count at grave risk. Hackers have successfully installed malware on the computer of an [Arizona county election official](#), providing hackers with access to login information that could be used to breach county voter registration databases.

To prevent these attacks, states must replace and upgrade all voting machines and components that still use outdated operating systems to newer versions that meet modern standards and updated cybersecurity protections. Upgrades should take place routinely through a law that establishes a specific time frame in which changes must be made to voting machines, of which should be no more than 10 years. These updates should be stipulated and guaranteed in the procurement process with vendors.

26. Review Voting Location Building Preparation

Often, voting locations may be plagued by aging infrastructure or sudden physical issues on election day, which can cause disruptions on Election Day and overwhelm poll workers and officials.

To minimize any disturbances or challenges on election days, state legislators should ensure that there are set and standardized [protocols](#) met at all polling locations in advance of elections.

Recommended standards first and foremost need to be compliant with all [ADA standards](#) for accessibility. Additionally, states should set requirements and checklists for all polling locations to check that internet, electricity, parking, ramps, clear entrances, and signage are clear and compliant with standards.

States should consider creating [county voter accessibility advisory committees](#) to meet quarterly to go over standards, checklists, and plans to ensure proper functioning and accessibility of infrastructure at polling locations for future elections. [Sacramento County](#) has a strong advisory committee with set toolkits and standards.

Election Administration

27. Professionalize Rank-and-File Elections Administration Staff

The rank-and-file staff, including poll workers, are not always professionals with training or experience in elections law and administration. In many jurisdictions, they are directly-elected politicians (in the case of many Secretaries of State), or appointees of political parties. In New York, for example, the Board of Elections hires based on a pure patronage system, employing an equal number of staff named by each of the two major political parties. As a result of this lack of merit-based hiring, New York's Board of Elections has made a number of [high-profile](#)

[mistakes](#) over recent years, embarrassing the state and casting some doubt on the legitimacy of the results.

To prevent these kinds of mistakes, states should professionalize elections administration staff by hiring based on merit and by providing mandatory training to all staff from the Chief Election Official down to poll workers. To do so, states can extend existing civil service hiring requirements, based on competitive hiring and political neutrality, to election administration positions.

Rather than patronage, the U.S. Election Assistance Commission [recommends](#) mass, public marketing of open positions, including on social media, to ensure a deep applicant pool. The Commission also recommends screening all candidates for certain key skills, including language skills and the ability to use technology.

There is [substantial precedent](#) for professionalization of civil servants at the federal and state levels. The federal Pendleton Act of 1883 replaced the spoils system with a merit-based recruitment process for executive agency employees based on the principles of competitive hiring, tenure-based job security, and political neutrality. Over the subsequent five decades, almost every state adopted analogous reforms to state-level civil service. Nevertheless, the federal and state reforms were restricted to executive branch employees, with exemptions for elections officials.

Training on election laws and voting procedures should also be mandatory for all staff. Virginia, for example, enacted a law in 2020 that [requires](#) election officials undergo training after any new election-related law or regulation takes effect and before the subsequent election occurs. And New York, in 2021, enacted a law [requiring](#) election officials to hold “mandatory school for the instruction of election inspectors, poll clerks, and election coordinators” every year, in-person and online.

28. Prohibit Election Officials’ Participation in Political Campaigns

Election officials' engagement in partisan political activity – including running for elected office themselves – creates a clear conflict of interest with their duty to administer fair elections, undermining public confidence in election results. In recent years, the 2018 gubernatorial campaign of Brian Kemp in Georgia [drew scrutiny](#) because of his simultaneous role as the Secretary of State chairing Georgia’s Board of Elections. The Chief Election Official should always be a non-partisan position (as described in the previous element). However, this non-partisanship should be mandatory all the way down through the rank-and-file staff who run elections.

States should prohibit all officials involved in administering elections from actively participating in partisan political campaigns. Furthermore, states should require that election officials resign their positions before they become candidates for elected office.

Some 36 states already have some form of “[Little Hatch Act](#)” in place, modeled after the federal [Hatch Act](#), which prohibits civil servants in executive agencies from engaging in certain forms of political activity, especially while on official duty or while using public resources. These

prohibitions should be extended to include all employees of the state bodies that administer elections.

In addition, many states have attempted and failed to pass so-called “resign to run” laws, which require certain public officials to resign before becoming candidates for elected office. For example, the Texas House and Senate passed [Texas House Bill 3055](#), which sought to bar any election official from running for public office or holding a position in a political party. The bill, which was ultimately vetoed by the governor, stipulated that any election official would automatically vacate their position should they engage in prohibited political activities.

29. Expand Pool of Poll Workers by Increasing Pay, Allowing Split Shifts, or Enacting “Draft”

According to the 2020 [Election Administration and Voting Survey](#) conducted by the U.S. Election Assistance Commission, there were more than 130,000 polling places open in 2020, staffed by over 775,000 poll workers. Poll workers' positions are typically temporary, lasting from as short as one Election day to several weeks at the longest, depending on the state. They also require shifts of up to 16 hours.

Because of the extended daily time commitment, intermittency of the work, and [low pay](#), shortages are common, and poll workers skew toward those who lack full-time employment or domestic responsibilities: about half of all 2020 workers were over the age of 60.

To tackle the shortage of poll workers on Election Day, states should expand and diversify the pool of poll workers by increasing pay, allowing split shifts or by enacting mandatory poll worker service for all registered voters.

Daily or hourly pay should be set at a living wage appropriate for each state, with a floor at the greater of the federal or state minimum wage. New Jersey, for example, [pays](#) more than \$21 per hour on early voting days and \$300 on Election Day to poll workers. By contrast, 13 states pay a daily stipend of [less than \\$100](#) for 12 to 16 hours of work.

In addition to increasing pay, another way to boost poll worker recruitment is by allowing shorter shifts. 18 states allow at least some election officials or poll workers to do so part-time or in split shifts. Virginia, for example, [allows](#) all election workers, except for the chief election officer and assistant chief election officer, to work for a portion of Election Day. This is a simple way to allow a broader swath of willing citizens to work more flexibly, around other work or personal obligations.

Nebraska takes the most ambitious approach to poll worker recruitment, allowing counties to [“draft” poll workers](#) by randomly drawing from the pool of registered voters, akin to serving jury duty. [Douglas County](#), for example, estimates its poll worker needs and mails selection letters to draftees 70 days before each election. Draftees must respond on or before 45 days in advance of the election, and then must complete mandatory, paid training to receive poll assignments.

Individuals ordered to serve as poll workers receive employment protections (i.e. they cannot be fired, forfeit pay, or be forced to use earned leave) and are compensated between \$9 and \$11 per hour. Those who do not appear for mandatory duty can be convicted of a Class V

misdemeanor. Heavy-handed as it might seem, Nebraska's approach has guaranteed a reliable, more diverse pool of poll workers.

30. Mandate Non-Partisan Voter Education Campaigns

The amount of information on a ballot can be overwhelming for even the most dedicated, diligent voter. A ballot for one election day might contain dozens of candidates for a handful of offices, from president or Congress to governor or the state legislature, to mayor and even judicial positions, depending on the state. Beyond candidates to vote for, there might also be referenda or ballot measures on any number of complex issues to decide on.

To help voters make informed decisions, states should mandate election officials conduct non-partisan voter education campaigns before primary and general elections, including mailed voter information guides for all eligible voters and non-partisan “get out the vote” (“GOTV”) activities like phone- and text-banking.

As a model state for voter information guides, California has published extensive information on registration, poll sites, candidates, and ballot measures since 1996. In fact, the Secretary of State’s original website from the primary election that year is [still accessible](#). More [recent editions](#) include information on where and how to register to vote, where and how to vote, statements from candidates, a sample ballot, and voter assistance hotlines for 9 languages other than English. In addition, the state assembly is currently considering [legislation](#) to mandate that such guides be mailed to voters at least 29 days before an election.

Additionally, states can establish a [paid voter orientation](#) for voters participating in their first federal election, similar to the use of jury orientation and [jury pay](#) to lower the barrier to entry for new voters, and encourage civic engagements.

Similar to jury orientation, paid voter orientation can offer a history of voting and voting rights, explain the value of voting to our democracy, and provide specific information about how to actually vote. Additionally, voters should be offered a small stipend to compensate them for their time.

As for non-partisan GOTV, New York City’s Campaign Finance Board runs a program called [NYC Votes](#), which utilizes the tools of political campaigns, including phone-banking, text-banking, and relational organizing apps, to mobilize low propensity voters in the city.

31. Establish a Cure Process to Correct Mistakes on Mail-in Ballots

Errors on mail-in ballots like a missing signature or incomplete information are common, and in many states, can lead to the rejection of ballots. In a particularly egregious recent example, Texas rejected more than [18,000 mail-in ballots](#) in the March 2022 primary election, representing about 15% of ballots cast in the state’s most populous counties, which also coincide with the state’s largest Black populations.

States should establish a cure process, to quickly notify voters of mistakes on ballots, and allow them ample time to correct these mistakes by mail or in person. Specifically, states should provide notice within 24 hours of a mistake needing correction, and then provide up to 14 days

after the election for the voter to correct this mistake. This will prevent votes from being discarded based on minor errors or oversight.

At present, [24 states](#) have some notice-and-cure process available to allow voters to correct mistakes, though the speed of notification and the cure time varies significantly. Vermont mandates the fastest, most thorough notification, requiring election officials to contact voters of a potentially rejected ballot within one business day by any contact information available, including mail, telephone, and email. Illinois and Oregon mandate the longest cure time, allowing voters to correct their ballots up to 14 days after the election.

32. Expedite Ballot Processing and Counting

The 2020 election, combining a particularly high-profile Presidential race with the height of a global pandemic, saw both record turnout and a record number of mail-in ballots. A [full 43%](#) of the 161 million voters who cast their ballots did so by mail. This extraordinary surge strained election administrators, and in some states, laws prohibiting the processing and counting of ballots until Election Day caused unusually [long delays](#) in the release of full, official results.

Given the rapid expansion of voting by mail, states should instead allow ballot processing (the verification of voters' signatures and the removal of ballots from secure envelopes) as well as counting (the actual tallying or tabulation of votes cast) to occur before Election Day. Specifically, states should be allowed to process mail-in ballots starting 30 days before Election Day and to count votes starting 18 days before Election Day.

Currently, [37 states](#) already permit the processing of mail-in ballots before Election Day, although there is wide variation between states in how early processing can begin. At the maximum, Vermont permitted early processing, or "pre-canvassing", of mail-in ballots 30 days before Election Day in 2020 as a temporary measure during COVID. As another example, California, by law, permits early processing 29 days in advance.

In addition, [10 states](#) already allow counting before Election Day. At the maximum, Hawaii begins counting mailed ballots 18 days before Election Day. All states that allow early counting also strongly prohibit early disclosure of tallies to prevent any influence on pending voters' decisions.

33. Publish Elections Data

In recent years, many states have taken [steps to suppress voting](#) by limiting access to mail-in ballots, strengthening voter ID rules, and making it harder for disabled or non-English-speaking voters to cast ballots.

To be able for voting rights advocates and federal oversight agencies to track changes in people's ability to exercise their voting rights, states should be required to publish comprehensive data on their performance after each election. This should include demographic information; voter turnout; absentee ballots requested, processed, and rejected; provisional ballots cast, counted, and rejected and the specific reasons those ballots were rejected; number of voters that used accessible voting machines; number of voters that requested ballots in language other than English; number and location of voting sites, how many voting sites were

moved since the last election; number and location of voting machines; and costs and funding of elections.

Title III of the federal "[Help America Vote Act](#)" of 2002 already requires that states collect and report certain data on election administration – the number of poll sites, voter demographics, and accessibility, for example – to the federal Election Assistance Commission. States should require their Chief Election Official publish this data online, in an easily usable format, on an annual basis.

Precedent: Virginia

Over the course of just over 12 months during the COVID pandemic, Virginia was able to enact sweeping reforms to promote universal voting in the state, culminating in the landmark Voting Rights Act of Virginia of 2021. The set of bills enacted capture many of the most impactful elements described above.

SB601, enacted in March 2020, established Election Day as a [state holiday](#). Three weeks later, the state enacted laws establishing [automatic voter registration](#) (SB219), [repealing](#) restrictive voter ID laws (HB19), and allowing no-excuse [vote-by-mail](#) 45 days before Election Day (HB1). In early 2021, Virginia further enacted [HB2125](#), allowing pre-registration of 16-year olds, and [SB1245](#), which mandated drop boxes across the state, allowed expedited processing of mailed ballots, and established a cure process.

And in April 2021, Governor Ralph Northam signed the Voting Rights Act of Virginia into law. Introduced by two Black women, State Senator [Jennifer McClellan](#) and State Delegate [Marcia Price](#), the [Voting Rights Act of Virginia](#) is modeled after the federal Voting Rights Act of 1965: The law prohibits discrimination or intimidation related to voting on the basis of race or membership in a language minority group; it includes a preclearance provision, requiring local election officials to receive the approval of the state's Attorney General before making any changes to the administration of elections, like changing polling locations or language interpretation services; it requires special accommodations for non-English speakers as well as people with disabilities; and lastly, it establishes a "Voter Education and Outreach Fund" to provide non-partisan information to voters in the state.

The package of voting rights protections and ballot access expansions, implemented in a remarkably short period of time, resulted in the *New York Times* calling Virginia a "[Voting Rights Bastion](#)." The full list of Virginia's election reforms over the 2020 and 2021 legislative sessions can be found [here](#) and [here](#).

Precedent: Illinois

In 2021, Governor J.B. Pritzker (D) signed into law a package of voting reform laws that took many of the changes adopted by the state as a response to the pandemic, and made them permanent, further guaranteeing an expansion of access to voting. Two of the most significant and impactful pieces of legislation that were successfully implemented were [Senate Bill 825](#) and [Senate Bill 187](#), which ensure that:

- Voters can sign up to automatically receive an absentee ballot for every election.
- Absentee ballots without adequate postage be counted.
- Voters can cast ballots from their cars through curbside voting.
- Election Day is a state holiday in 2022.
- High schools are required to provide students with information about voter registration.

- County sheriffs are allowed to establish temporary voting locations in county jails.

Furthermore, Illinois also passed [House Bill 3235](#), requiring the Illinois Department of Corrections to provide individuals with information regarding voting when they are released from incarceration and also allows the department to participate in the states Automatic Voter Registration (AVR) program. This is a significant step in ensuring that formerly incarcerated individuals are provided their voting rights in a seamless process, further contributing to expanding the access to voting in Illinois.

Precedent: Colorado

In 2017, Colorado became the [first state to implement a risk-limiting audit](#), based on the passage of [Rule 25](#) back in 2009. The rule lays out in detail how risk-limiting audits (RLA), which are audits of votes on paper ballot cards such that there is a prespecified minimum chance of requiring a full hand count if the outcome of a full hand count would differ from the reported tabulation outcome, are to be conducted. Since its implementation, Colorado has had [seven audits](#) with no incorrect outcomes, and, have been more time- and cost-efficient than hand-count audits, according to Neal McBurnett, a Boulder-based voting systems expert who helped implement the nation's first risk-limiting audit.

Colorado was also one of the first states to allow for a Vote Center model with its passage of [Senate Bill 153 \(SB 153\)](#). [According to the National Conference of State Legislatures](#), Scott Doyle, county clerk in Larimer County, Colo., came up with the idea for Vote Centers when legally registered voters in his jurisdiction showed up to the wrong precinct and then were unable to get to the right precinct in time to vote. With the [implementation of the Vote Center](#) model in Larimer County in 2004, despite record turnout, the average voter reported waiting just 20 minutes to vote at a Vote Center.

Lastly, Colorado leads the way in accessible voting, where [69 percent](#) of registered voters with disabilities voted in 2016. Colorado has accomplished this by partnering closely with Disability Law Colorado, which went to all 64 counties in the state to assess accessibility measures, and used state funding to help polling places meet federal accessibility standards. Additionally, the Secretary of State conducts a county-by-county audit after elections to ensure these standards are being met, which leads to very few accessibility shortcoming, according to a senior attorney at Disability Law Colorado.

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