DEMOCRACY INITIATIVE

Roadblocks and Remedies: The State of Voting in 2020
Executive Summary

2020 will be a historic election – with expanded participation driven by the successes of the democracy movement. As many as 160 million Americans are projected to vote in 2020. If achieved this will be the highest turnout in a presidential election in more than 100 years.

The democracy movement has successfully expanded access to the ballot, with more voting options now available than ever before. In 2018 and 2019 alone, voters and/or state legislatures approved voting reforms in 21 states.

Our success has helped prepare the United States for a pandemic election: In response to health risks linked to in-person voting, many states have adopted proven reforms long-advocated by the democracy movement, including Early Voting and Vote-by-Mail (or no-excuse absentee voting).

What we've achieved in 2020:
- **Vote by mail is available in 45 states and the District of Columbia (DC).**
- **Early Voting is available in 43 states (and DC)**
- **39 states (and DC) offer three voting options:** Vote-by-mail, Early Voting, and in-person voting on Election Day
- **20 states and DC with Same-Day Voter Registration** (including North Dakota, where no registration is required.)

Only one remaining state – Mississippi – still has in-person voting on Election Day as the only option available to all voters.

Roadblocks remain to successful voting: Common voter suppression tactics include ballots delayed by purposeful slowdown of the US mail; closed polling places, purged voter rolls, restrictive voter ID laws, ballot drop boxes decommissioned, and litigation to limit ballot access. In addition, those using a new voting option for the first time may confront an information gap about rules, deadlines, times and locations for Early Voting and Vote-by-Mail.

Remedies to assist voters: Many common roadblocks to voting can be overcome by a common remedy. **Know the Rules, MAKE A PLAN and Vote Early.** Additional resources for voters include:
- tracking mail ballots and ensuring that ballots are signed, sealed and delivered
- information about times and locations for Early Voting and vote-by-mail
- planning to vote safely if voting in-person on Election Day
- Accurate and trusted information about election results, which will likely not be available on Election Day or the morning after. 2020 will have an *election period*, rather than an Election Day. Getting it right is more important than getting it fast.

Roadblocks and Remedies: The State of Voting 2020
Key resources for voters and field workers

Vote411.org: Starting at this site, voters can check their registration status in any state and link to quick and easy online voter registration, where available.

HealthyVoting.org: Starting at this site, voters can check key voting information in any state, including:

- registration deadlines
- times and dates for Early Voting
- deadlines for applying for a mail ballot
- deadlines for returning a mail ballot
- ballot tracking information where available.

Secretary of State websites for all 50 states and the District of Columbia.

Local election officials in cities, towns and counties in all 50 states and DC. Information on early voting centers and where to drop off mail ballots is available from local election officials.

The **Election Protection Center**, at **1-866-Our-Vote (866-687-8683),** for any roadblocks or problems that might prevent a successful vote during Early Voting, vote-by-mail, or in-person voting on Election Day.

To: DI Board of Directors
From: Wendy Fields
Re: Roadblocks and Remedies: The State of Voting in 2020
Date: October 7, 2020

2020 will be a historic election – with expanded participation driven by the successes of the democracy movement

The 2020 general election in November will be historic, with high rates of participation expected in all parts of the United States.[1] More voters will have more options than ever before. As of January 2020, many states still required that voters provide a specific excuse to vote early or vote by mail. By Election Day, however, there will be only one state left – Mississippi – where in-person voting on Election Day is the only option available to all voters.

Yair Ghitza, chief data scientist for Catalist, has estimated that as many as 160 million people will cast votes in 2020, representing two-thirds of the voting age population.[2] A 66 percent turnout moves us towards the longstanding goal of the democracy movement, to create a culture of 75 percent voter participation. If achieved, this would be the highest voter turnout for any U.S. presidential election in more than 100 years.[3]

The COVID-19 pandemic will make this election different than any we have ever seen. Due to health concerns about contracting the deadly virus while standing in line or entering a crowded polling place, tens of millions of voters will vote in 2020 using a different method than they ever have before.

Vote-by-mail, Early Voting, and other safe and secure options will be more available in 2020 than during any previous election. This expansion of democracy was made possible thanks to grass-roots efforts across the United States in recent years, supported by the Democracy Initiative and partner organizations.

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[1] The Atlantic, "Brace for a Voter Turnout Tsunami," June 13, 2019
[2] Medium.com, "Revisiting What Happened in the 2018 Election," May 21, 2019
[3] University of California Santa Barbara, "Voter Turnout in Presidential Elections," accessed Aug. 31, 2020

State by State Voting Reforms – 2018 and 2019

Year	State	Voting reform
2018	Florida	Voting rights for formerly incarcerated
2018	Maryland	Same Day voter registration
2018	Michigan	• Same Day voting registration on • Early voting • Vote-by-mail (no excuse absentee voting)
2018	Nevada	Automatic voter registration
2019	Arizona	Eliminate fines and fees for formerly incarcerated
2019	California	• Same Day voter registration • Vote by mail (no excuse absentee voting)
2019	Colorado	• Expanded automatic voter registration • Restore voting rights upon release from incarceration
2019	Connecticut	• Vote by mail (No-excuse absentee voting) • Early Voting
2019	Delaware	Early Voting
2019	Hawaii	Universal vote-by-mail
2019	Illinois	Absentee voting from mail
2019	Maine	• Automatic voter registration • Pre-registration for young voters
2019	Nevada	• Same Day voter registration • Restore voting rights on release from incarceration
2019	New Hampshire	• Restore voting rights upon release from incarceration • Notice of restored voting rights
2019	New Mexico	• Same Day voter registration • Automatic voter registration
2019	New York	• Early Voting • Same Day voter registration • Pre-registration for young voters • Vote by mail (no excuse absentee voting)
2019	Oklahoma	• Pre-registration for young voters
2019	Oregon	Prepaid postage for vote-by-mail
2019	Pennsylvania	Vote by mail (No-excuse absentee voting)
2019	Vermont	Expanded automatic voter registration
2019	Virginia	Early Voting
2019	Washington	• Prepaid postage for vote-by-mail • Notice of restored voting rights for formally incarcerated

Source: Common Cause and the Democracy Initiative

The movement to make voting more accessible has been accelerated by the COVID-19 pandemic. Many states have responded by adopting reforms advocated for many years by the democracy movement.

Our success in winning voter-friendly reforms and demonstrating these voting methods are safe and secure has paved the way for an effective response to the unprecedented conditions created by the current pandemic.

The unprecedented changes in our working and living conditions created by the coronavirus, however, also create unique challenges for voters. Millions are at risk of eviction; others are homeless; and many people are living at an address different than their last voter registration.

It's more important than ever this year for voters to MAKE A PLAN to vote. This includes check voter registration status as early as possible and updating address information if necessary.

As voters and democracy advocates address these challenges, we can also take advantage of new opportunities that will expand access to the ballot box in 2020:

- **Four new states (and DC) will mail ballots to all voters**
  California, District of Columbia, New Jersey, Nevada, Vermont

- **Eight new states will mail ballot *applications* to all voters**
  Connecticut, Delaware, Illinois, Iowa, Maryland, Massachusetts, New Mexico, Wyoming

- **Three new states will allow no-excuse absentee voting, or vote-by-mail**
  Delaware, Massachusetts, Missouri

- **Seven states will allow voters to cite the risk of COVID-19 as a reason for absentee voting or early voting.**[4]
  Alabama, Arkansas, Connecticut, Kentucky, New Hampshire, South Carolina, West Virginia

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[4] New York Times, "Where Americans Can Vote by Mail in the 2020 Elections," August 14, 2020; WBTV, "Election 2020: Voting in South Carolina," Sept. 23, 2020

As a result of these ongoing reforms – pushed for and won by grass-roots movements – here is what we have achieved**:**

- **Vote by mail is available in 45 states (and the District of Columbia)**
- **Early Voting is available in 43 states (and DC)**
- **39 states (and DC) offer three voting options:** Vote-by-mail, Early Voting, and in-person voting on Election Day
- **20 states and DC have same-day voter registration.** (Including North Dakota, which does not require registration prior to voting.)

Just one state offers only one option: Mississippi is now the only state in which in-person voting on Election Day is the only option available to all voters. In Mississippi, an excuse (other than risk of COVID) is required to cast an absentee ballot or to vote early, and not all voters qualify. Members of Congress from Mississippi are entitled to vote absentee or vote early (along with their staff members). But this same right is not available to the Mississippi voters who elect them and pay their salaries.[5]

South Carolina also had limited voting options available until this September, when a new was signed allowing all voters to cast a "no-excuse" absentee ballot.[6]

Ten roadblocks to successful voting – and potential remedies

Despite our success in achieving greater access to the ballot box – and in some cases, *because* of our success – there are still obstacles to successful voting in many jurisdictions.

To assist DI member organizations, partners and affiliates in helping their members and constituents **MAKE A PLAN** to vote, we have identified below ten common roadblocks to successful voting in 2020. This **2020 Voter's Guide** also identifies potential remedies and resources to overcome these roadblocks.

In addition, see the "**State of Voting – 2020**" table on pages 12 and 13 for a state-by-state breakdown of voting options in 2020 in all 50 states and the District of Columbia.

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[5] Mississippi Secretary of State Michael Watson, "**Step-by-Step Guide to Absentee Voting**," accessed October 1, 2020

[6] The State, "**All SC voters can vote absentee in November, as Gov. McMaster seals new COVID-19 law**," September 16, 2020

Top Ten Roadblocks to Voting in 2020

1. **You are not registered to vote, or your registration is not current –** because you have moved, been evicted, or relocated due to COVID-19, wildfires, hurricanes, or other reasons.

2. **You applied for a mail ballot, but it did not arrive.**

3. **You don't want to vote in person on Election Day this year,** but you can't find information about where to vote early or where to drop off a vote-by-mail ballot.

4. **Your ballot arrives late to your election office and is not counted.**

5. **Your ballot envelope is not signed, not submitted correctly or not witnessed in states requiring a witness, so your vote is not counted.**

6. **You are at your polling place for in-person voting on Election Day, but told you are not on the voting list.**

7. **Early voting and mail ballots are allowed** but your state does not allow processing or counting of ballots until Election Day, resulting in delays and/or possible uncounted ballots.

8. **Voter suppression:** Ballots delayed, uncounted or never cast by intentional slowdown of the US mail, closed polling places, purges of voter rolls, restrictive voter ID laws, or ballot drop boxes decommissioned.

9. **Voter suppression in the courts:** Ballots delayed or disqualified by court rulings, such as blocking distribution of vote by mail ballot applications ([Texas](#) and [Iowa,](#)) or overturning a voter referendum restoring voting rights to the formerly incarcerated ([Florida](#)).

10. **Disinformation or confusion about election results before all votes are counted.** Because 2020 will be a historic election, with tens of millions of voters exercising their right to Early Voting or vote-by-mail, it is likely that results will not be available on Election Day or even the morning after. **Getting it right is more important than getting it fast.** Some candidates or outside groups may attempt to gain partisan advantage by using social media and other platforms to claim "victory" before all votes have been counted. Some candidates may also use the courts or public demonstrations to attempt to stop the counting of ballots.

Remedies

Many of the roadblocks identified above have a common remedy:

- **Know the rules** for voting in your state
- **Make a plan** to vote
- **Vote Early**

Know the rules

At **HealthyVoting.org**, you can check the rules for voting in 2020 in your state.

- **If you live in one of the 43 states (and DC) where Early Voting is available**, you can find out the dates when Early Voting centers are open.
- **If you live in one of the 45 states (and DC) where vote-by-mail is available**, you can find deadlines for applying for and returning your mail ballot.
  - ➢ **You can find a link to track your mail ballot** to make sure it has been received If you live in a state which offers this service.
- **If you prefer to vote in person on Election Day**, you can find your polling place and the hours it will be open.

MAKE A PLAN:

- The first step to **MAKE A PLAN** is to check if you are registered. Voter registration is required in all states (except North Dakota). You can confirm your voter registration status at **Vote411.org.** This site also links to quick and easy online registration, where available, allowing you to update your address information if needed, or register for the first time if you are not registered.

- **If you have moved or relocated since registering to vote, you need to update your information.** Twenty-one states (and DC) allow you to update this information with same-day voter registration on Election Day. Check the rules and registration deadlines for your state at **HealthyVoting.org**

- **Once you have confirmed that you are registered – and updated your address if needed –** you can review the voting options available in your state at **HealthyVoting.org.**

- To complete your plan, choose the available option – **Early Voting**, **vote-by-mail**, or **voting in-person on Election Day** – that works best for you. Then check the rules and deadlines for your preferred voting option.

Vote Early

Several of the roadblocks identified above can be avoided by taking the opportunity to **vote early**. This helps ensure your ballot will be counted and helps election officials by not having a rush of ballots to process on or after Election Day.

- **Early Voting** (in 43 states and DC): Vote at the earliest date possible when Early Voting centers are open in your state. **HealthyVoting.org** shows times and dates when Early Voting is available in each state.

- **Vote-by-mail** (in 45 states and DC): Return your application for a mail ballot on the **SAME DAY** you receive it; return you mail ballot on the **SAME DAY** you receive it.

- **Voting-in-person on Election Day** (all states): Vote early in the day.

To address several of the roadblocks identified above, additional remedies are required.

You applied for a mail-in ballot but is has not arrived.

- In 42 states and DC, you can track the status of your mail ballot. Visit **HealthyVoting.org** for tracking information in your state.

- If tracking information is not available, or if your ballot still has not arrived close to Election Day, contact **Election Protection** at **1-866-Our-Vote (866-687-8683).**

Where can I vote early? Where can I drop off my mail ballot?

- Find your state **Secretary of State website** here.

- **Local election officials** can provide information about voting options in your city or town, including where to vote early and where to drop off a mail ballot, if those options are available. Use **this link**, from the Federal Voter Assistance Project, to find your local election officials.

Your ballot envelope is not signed, or submitted properly, so your vote is not counted.

- During 2020 primary elections, many ballots were not counted because the ballot envelope (not the ballot) was not signed or submitted properly. To avoid this problem, use envelopes provided, follow all instructions and **SIGN your ballot envelope** before returning it. Your vote will count when it is **SIGNED**, **SEALED** and **DELIVERED**.

- Ten states (AL, AK, LA, MS, MO, NC, OK, SC, VA, WI) require one or more witnesses to sign an absentee ballot. Follow all instructions in your state so your ballot is properly witnessed.

- Some (but not all) states will notify you if you ballot envelope has not been signed, if your signature does not match the one on file, or if there are other issues with your mail ballot. If you receive notification about your ballot and have any questions, contact the **Election Protection** hotline at **1-866-Our-Vote (866-687-8683).**

How can I vote safely if I am voting in-person on Election Day?

- If you prefer to vote in-person on Election Day **MAKE A PLAN** to vote **safely.** Bring hand sanitizer, bring a pen, and follow "**The Three Ws**" when you visit your polling place:

  ➢ **Wear a mask.**

  ➢ **Wait at least six feet from others.**

  ➢ **Wash your hands before and after voting.**

  If your schedule permits, consider visiting your polling place during non-peak hours on Election Day.

How can I vote if I am told I am not on the voter list at my polling place?

Exercise your right to cast a provisional ballot. If you have questions or concerns, contact the **Election Protection** hotline at **1-866-Our-Vote (866-687-8683).**

How can I vote if my regular polling place is closed?

Use this link to locate and contact your local election officials for current polling place information, or contact **Election Protection** hotline at **1-866-Our-Vote (866-687-8683).**

Disinformation or confusion about election results before all votes are counted.

- With tens of millions of people voting by mail this year, and millions more using Early Voting, we will have an "**election period**" rather than an Election Day.

- To ensure accurate results, state and local officials will work to count all votes and make sure every vote is counted. While this may be different than previous elections, **getting it right is more important than getting it fast.**

- You can insist that your election officials count every vote and ignore any claims of "victory" before all votes have been counted.

- Rely on trusted sources – such as your union, or an environmental or civil rights group you belong to – for accurate information about voting, vote counting and election results.

The State of Voting – 2020

State	Same Day Voter registration	Early Voting	Universal mail ballots	Universal mail ballot applications	Vote by mail for all voters
Alabama	X	X	X	X	✓
Alaska	X	✓	X	X	✓
Arizona	X	✓	X	✓	✓
Arkansas	X	✓	X	X	✓
California	✓	✓	✓	X	✓
Colorado	✓	✓	✓	X	✓
Connecticut	✓	X	X	✓	✓
Delaware	X	X	X	✓	✓
District of Columbia	✓	✓	✓	X	✓
Florida	X	✓	X	X	✓
Georgia	X	✓	X	X	✓
Hawaii	✓	✓	✓	X	✓
Idaho	✓	✓	X	X	✓
Illinois	✓	✓	X	X	✓
Indiana	X	✓	X	X	X
Iowa	✓	✓	X	✓	✓
Kansas	X	✓	X	X	✓
Kentucky	X	✓	X	X	✓
Louisiana	X	✓	X	X	X
Maine	✓	✓	X	X	✓
Maryland	✓	✓	X	✓	✓
Massachusetts	X	✓	X	✓	✓
Michigan	✓	✓	X	X	✓
Minnesota	✓	✓	X	X	✓
Mississippi	X	X	X	X	X
Missouri	X	X	X	X	✓

State	Same Day Voter registration	Early Voting	Universal mail ballots	Universal mail ballot applications	Vote by mail for all voters
Montana	✔	✔	X	X	✔
Nebraska	X	✔	X	X	✔
Nevada	✔	✔	✔	X	✔
New Hampshire	✔	X	X	X	✔
New Jersey	X	✔	✔	X	✔
New Mexico	X	✔	X	X	✔
New York	X	✔	X	X	✔
North Carolina	X	✔	X	X	✔
North Dakota	No registration required	✔	X	X	✔
Ohio	X	✔	X	X	✔
Oklahoma	X	✔	X	X	✔
Oregon	X	X	✔	X	✔
Pennsylvania	X	✔	X	X	✔
Rhode Island	✔	✔	X	X	✔
South Carolina	X	✔	X	X	✔
South Dakota	X	✔	X	X	✔
Tennessee	X	✔	X	X	X
Texas	X	✔	X	X	X
Utah	X	✔	✔	X	✔
Vermont	✔	✔	✔	X	✔
Virginia	X	✔	X	X	✔
Washington	✔	✔	✔	X	✔
West Virginia	X	✔	X	X	✔
Wisconsin	✔	✔	X	✔	✔
Wyoming	✔	✔	X	X	✔

State of Voting – 2020

Definitions:

Same Day Voter Registration: Voters can vote and register on the same day, on Election Day or at Early Voting centers in states where early voting is available.

Early Voting: Voters can vote before Election Day, during specified time periods, at Early Voting centers or at local election offices.

Universal mail ballot: All registered voters receive a mail ballot from state or local officials; no application is required.

Universal mail ballot application: All registered voters receive an application to vote by mail.

Vote by mail: All voter can vote by mail, also called absentee voting, with no excuse required. In some jurisdictions in 2020, fear of contracting COVID-19 – which can apply to all voters – is a recognized excuse.

Sources

Brennan Center for Justice, "Preparing Your State for an Election Under Pandemic Conditions," Sept. 1, 2020; HealthyVoting.org, accessed August 31, 2020; National Conference of State Legislatures, "State Laws Governing Early Voting," August 27, 2020; New York Times, "Where Americans Can Vote by Mail in the 2020 Elections," August 14, 2020; Vote411.org, accessed August 31, 2020; Vote.org, accessed August 31, 2020; Wall Street Journal, "How to Vote by Mail in Every State," August 20, 2020; Washington Post, " At least 83% of American voters can cast ballots by mail in the fall," August 20, 2020; Websites for Secretaries of State in all 50 States and District of Columbia, accessed August and September, 2020.