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Elections

How Should We Encourage and Safeguard Voting?

Many Americans are concerned about the US election system although we don't always agree on the main problem or how best to fix it. Is it too hard to vote? Is the system too easy to manipulate? Do we have rules that make voting fair and accessible to all? Are we doing enough to ensure accuracy and credibility?

There was record voter turnout in November 2020—almost 160 million Americans cast ballots even in the middle of the coronavirus pandemic—but it did little to ease these concerns. Although 66.7 percent of Americans who were eligible to vote did so, roughly a third did not. In off-year local elections across the country, turnout averages just 27 percent.

Concerns about aging voting machines, out-of-date registration lists, vulnerable computer systems, foreign interference, and bureaucratic snafus predated the 2020 election, and those concerns persist today. A major expansion of absentee voting due to the coronavirus pandemic, and resulting delayed vote counts, prompted fears among some about ballot tampering and voter fraud. Recounts in multiple states and more than 60 court cases produced no evidence of meaningful fraud. But still, many Americans believe we need a better system, one that ensures that all eligible voters can vote and that we can all trust the accuracy of the results.

A bill now before Congress would continue absentee voting expansions, extend voting hours, and make registration automatic to encourage voter participation, especially by low-income and minority voters, who often can't get off work to register or vote or who have historically faced barriers to voting. At the same time, numerous state legislatures, citing security concerns, have introduced bills to limit where, when, and how votes are cast.

The confusing and often inconsistent patchwork of local, state, and federal laws governing the election system complicates efforts to improve both access and security. A convicted

felon can vote in Maine, but not in Maryland. A valid photo ID is required of all voters at the polls in Indiana, but not in Illinois. Registration rules and deadlines vary between and even within states.

But many point to issues that go beyond the rules for voting itself. In presidential elections, a candidate can win the nationwide popular vote but lose the Electoral College vote—and the presidency—as happened most recently in 2000 and 2016. Is that a problem? Should we eliminate the Electoral College? In most states, legislatures draw district boundaries, sometimes to favor their own political party. Do we need a better way of drawing up voting districts?

This issue advisory presents three options for moving forward, each reflecting a different view of the problem and each suggesting a different set of ideas about what should be done. Most people will find something to agree with in all three approaches, but each also has trade-offs, risks, or drawbacks that need to be taken into account and worked through.

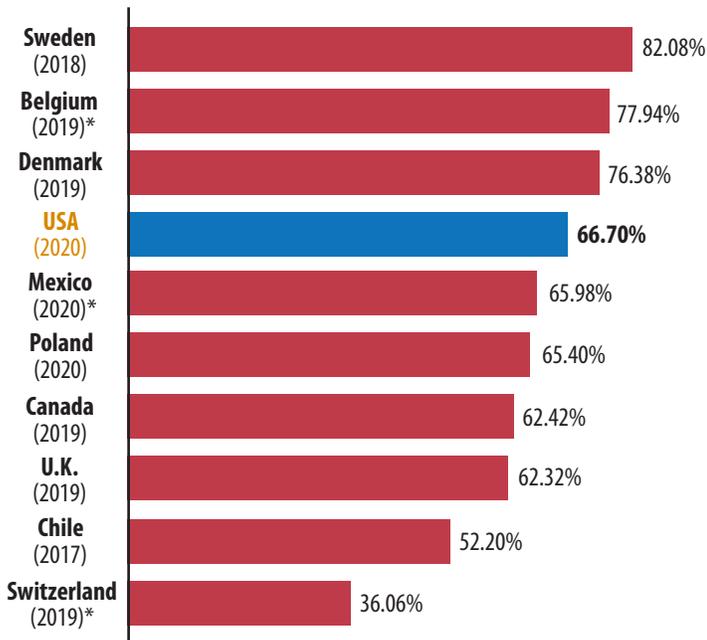
In thinking about different approaches, we will consider these questions:

- Would having uniform national standards for voting, instead of having state and local officials continue to set the rules, give us more confidence?
- Do ID requirements for voting, in order to help maintain the system's integrity, merely discourage voters by placing hurdles in their way?
- Would Americans see the voting system as more legitimate if the Electoral College were eliminated in favor of a national popular vote?
- Could some of the changes proposed here have unintended consequences? Could they fix some problems but cause new ones we haven't anticipated?

These are not the only possible options, nor the only questions. They are starting points for weighing alternatives and reaching a sound judgment.

Voter Turnout in the 2020 Election Moved the US Up Among Its Peers.

Votes cast in most recent national elections as a percentage of the voting age population

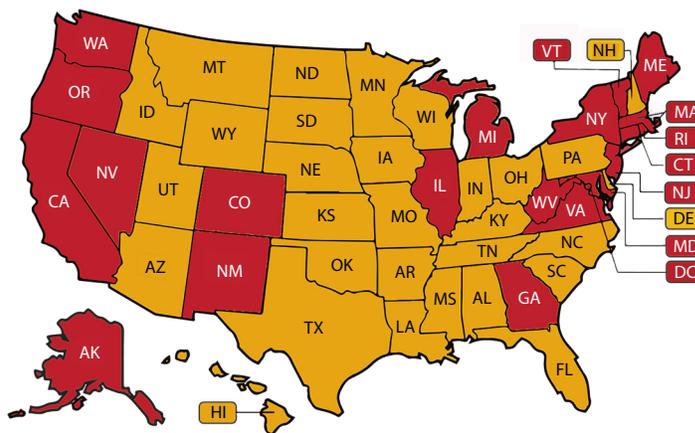


*Voting is compulsory in Belgium and Mexico and in one Swiss canton.

Source: Pew Research Center

Eligible Voters in 20 US States and Washington, DC, Are Automatically Registered to Vote When They Get Their Driver's Licenses or Visit Designated Government Offices.

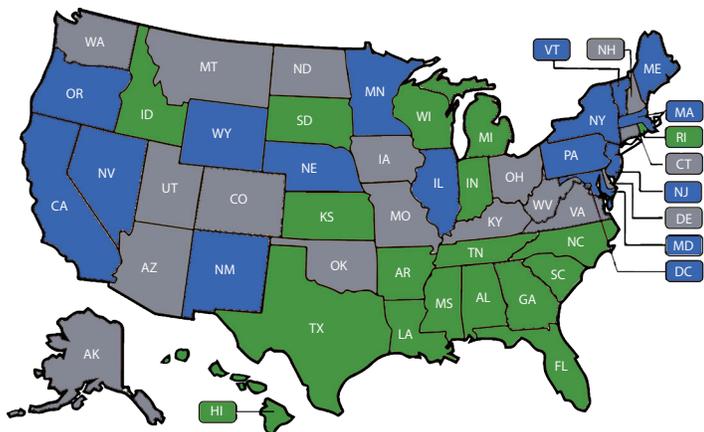
Automatic voter registration



Source: National Conference of State Legislators, 2021

Voter Identification Requirements by State

No ID required Non-photo ID Photo ID



Source: National Conference of State Legislatures, 2020

Five US Presidents Were Elected to Office but Lost the Popular Vote.

YEAR	CANDIDATE	PERCENTAGE OF POPULAR VOTE
1824	Jackson	42.3%
	Adams	36.1%
1876	Tilden	50.9%
	Hayes	47.9%
1888	Cleveland	48.6%
	Harrison	47.8%
2000	Gore	48.4%
	Bush	47.9%
2016	Clinton	48.2%
	Trump	46.1%

Legend: Blue = Lost the election, Red = Won the election

Source: Pew Research Center

Option One: **Make it easier to register and vote.**

Casting a ballot should be straightforward and convenient, but for too many Americans, it is not. A nurse working a 12-hour shift on Election Day may not get off before the polls close. Voters in neighborhoods with limited polling places endure hours-long lines, with communities of color often hit hardest. Some states require a driver's license or other government-issued photo ID to vote, but many elderly or low-income Americans don't drive and lack access to needed records. Voter registration rules and procedures differ from state to state, and in most, it is up to the individual to get registered. It's no wonder that voter turnout in the US still lags behind that of many other developed nations, even with the recent increases. This option says that giving every American a chance to vote should be our priority.

A Primary Drawback

Some changes that make voting easier may reduce the safeguards that ensure that only eligible voters cast ballots. And a lack of trust in the integrity of the voting system produces division and second-guessing, no matter who wins.

Actions	Drawbacks
Offer in-person early voting for 15 days for at least 10 hours a day so people have more chances to vote and long lines and wait times can be eliminated.	Keeping polling places open and staffed will be a huge investment for local governments or would require new federal funding at a time of massive deficits.
Make Election Day a national holiday as other countries do.	This will hurt small businesses by forcing them to either close on Election Day or pay their workers more to stay open. And it wouldn't help essential workers such as nurses and firefighters.
Automatically register all those eligible to vote whenever they get a driver's license or visit designated government offices.	Automatically adding people to a public database is intrusive and violates their privacy. And there is no assurance it will improve voter turnout since it does not mean those who are registered will vote.
Allow people who have completed prison sentences to vote. They have paid their debt to society.	People convicted of serious crimes have forfeited their right to vote.
What else? What could we do, especially as a community?	What's the trade-off if we do that?

More than five million Americans, including 1 of every 16 African Americans, cannot vote because of a felony conviction.

—Brennan Center for Justice, New York University

Option Two: Do more to make elections secure.

More needs to be done to ensure that votes are safe from both political manipulation and foreign interference, and that they are counted accurately. The Constitution allows each state to control its own election procedures, which adds to the challenge of securing elections, especially in an environment where foreign governments are actively trying to interfere. There are few uniform standards. For example, five states conduct their voting almost entirely by mail, while others sharply restrict it. In eight states, there is no paper record of ballots cast. Methods for checking registration databases to clean the rolls of voters who have moved or died vary widely among states. This option says that making elections more secure should be our priority.

A Primary Drawback

Steps intended to fight fraud often end up discouraging legitimate voters, especially low-income and minority voters.

Actions	Drawbacks
Require photo ID for all federal, state, and local elections. This will be much more reliable than just matching signatures.	Making voter ID a requirement will deprive millions of the basic right to vote, especially older Americans and those who do not drive.
Require voters to apply for and give a valid reason, such as travel or illness, for absentee voting.	People should be able to vote absentee for any reason. This requirement would just make it harder for many people to vote.
Use only voting machines that scan voter-prepared paper ballots, and mandate that all election boards keep a paper trail.	Paper-based voting systems are slow and inefficient. Some election outcomes will not be known for days or weeks after the ballots have been cast.
Remove voters from registration rolls if they haven't voted recently.	Americans have the right to sit out elections where the issues or the candidates don't interest them. This just discourages people when they do want to vote.
What else? What could we do, especially as a community?	What's the trade-off if we do that?

The US intelligence community found that Russia and Iran conducted operations to influence the 2020 election outcome, to undercut confidence in the electoral process, and to sow division and heighten societal tensions.

—National Intelligence Council, "Foreign Threats to the 2020 US Federal Election," March 10, 2021

Option Three: Offer more and better choices.

The major problem with our voting system is not lack of access to the polls or of trust in the security of the system.

It's the lack of a genuine range of choices and the sense many people have that their vote won't make any difference. Many people believe that their views are not fully represented by either of the major party's candidates, as shown by the rising number of voters registering as Independents. Others believe that their vote doesn't matter because they live in districts drawn to favor one party's candidate. Races in these gerrymandered districts are rarely competitive. In presidential elections, the Electoral College makes so-called swing states more important, so candidates tend to ignore voters elsewhere. What's more, the Electoral College system means that the votes of rural Americans count more than the votes of those in populous states, so it violates the principle of one person-one vote. This option says that changing the system to offer all voters real choices should be our priority.

A Primary Drawback

Having two traditional political parties has served the United States well, and drastically redesigning the voting system could have unforeseen consequences.

Actions	Drawbacks
<p>Make sure congressional districts are not slanted in favor of either party by having nonpartisan commissions, rather than politicians, draw the districts fairly.</p>	<p>Rural and minority voters will lose power if districts are redrawn without their interests in mind, and even "nonpartisan" commissions can be manipulated.</p>
<p>Make it easier to run for office by publicly funding candidates and easing requirements so that voters have more and different candidates to choose from.</p>	<p>This means public money will be spent on people with almost no chance of winning, including unqualified fringe candidates who are merely seeking attention.</p>
<p>Encourage candidates to campaign in all states by eliminating the Electoral College and using the popular vote instead.</p>	<p>This requires changing the Constitution and gives less populous rural states less say in the outcome, which could result in their needs being ignored.</p>
<p>Increase participation in primaries by ending registration by party (as 19 states have done already) so that all voters can participate in either party primary.</p>	<p>Political parties have the right to choose their own candidates, and this could lead to some partisan voters switching primaries just to undercut the other party's most promising candidates.</p>
<p>What else? What could we do, especially as a community?</p>	<p>What's the trade-off if we do that?</p>

In the two months leading up to the November 2020 election, 96 percent of presidential and vice presidential campaign events were held in just 12 "battleground" states where Electoral College votes were considered to be toss-ups.

—FairVote

About This Issue Advisory

Can we trust our elections to be fair and secure? Increasing numbers of American voters aren't sure any more. This issue advisory is designed to help people deliberate together about what we should do to keep our election system fair, honest, and secure. The three options presented here reflect different ways of understanding what is at stake and shed light on the critical tensions in what we hold most valuable.

Ground Rules

- Focus on the options and actions we can take nationally and in our communities.
- Consider all options fairly.
- Listening is just as important as speaking.
- No one or two individuals should dominate.
- Maintain an open and respectful atmosphere.
- Everyone is encouraged to participate.

Holding a Deliberative Forum

1. Introduction

Review ground rules.
Introduce the issue.

2. Connect to Issue

Ask people to describe how the issue affects them, their families, or friends.

3. Consider Each Option

Consider each option one at a time.
Allow equal time for each.

- What is attractive?
- What about the drawbacks?

4. Review and Reflect

Review the conversation as a group.

- What areas of common ground were apparent?
- What tensions and trade-offs were most difficult?
- Who else do we need to hear from?

Founded in 1927, the Kettering Foundation of Dayton, Ohio (with an office in Washington, DC), is a nonprofit, nonpartisan research institute that studies the public's role in democracy. It provides issue guides and other research for the National Issues Forums. For information about the Kettering Foundation, please visit www.kettering.org or contact the foundation at 200 Commons Road, Dayton, Ohio 45459.



This issue advisory was prepared for the National Issues Forums Institute (NIFI) in collaboration with the Kettering Foundation. National Issues Forums issue guides are used by civic and educational organizations interested in addressing public issues. These organizations use the books in locally initiated forums convened each year in hundreds of communities. Recent topics have included rebuilding the economy, immigration, health care, and mass shootings. For more information on the National Issues Forums, visit the website: www.nifi.org.

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Community Forum Worksheet

NOW THAT YOU'VE HAD a chance to participate in a forum on this issue, we'd like to know what you're thinking. Anonymous responses will be included in summary reports on the forums and in research to help us better understand how people are thinking about current issues. Here is a reminder of actions you discussed in your forums:

- a. Eliminate the Electoral College and use the popular vote instead.
- b. Offer in-person early voting for 15 days for at least 10 hours a day.
- c. Increase participation in primaries by ending registration by party.
- d. Require photo ID from voters in all federal, state, and local elections.
- e. Make Election Day a national holiday as other countries do.
- f. Have nonpartisan commissions, rather than politicians, draw up voting districts.
- g. Automatically register all those eligible to vote when they get their driver's licenses.
- h. Use only voting machines that scan voter-prepared paper ballots.
- i. Remove voters from registration rolls if they haven't voted recently.
- j. Make it easier to run for office by publicly funding candidates and easing requirements.
- k. Require voters to give a valid reason, such as travel or illness, for absentee voting.
- l. Allow people who have completed prison sentences to vote.

1. Which **three** actions above (a-l) do you most strongly support? _____

2. Which **three** actions above (a-l) do you most strongly oppose? _____

3. Are there any actions above you still feel **unsure** about? _____

4. What else could be done at the community, state, or national level to address this problem?

5. Did you talk about aspects of the issue you hadn't considered before?

Yes

No

If so, please explain. _____

6. Were there ideas or proposals that you tended to favor coming into the forum that you now have second thoughts about?

Yes

No

If so, please explain. _____

After you have filled this worksheet out, please give it to your moderator, email it to forumreports@nifi.org, or mail it to National Issues Forums Institute, 100 Commons Road, Dayton, OH 45459.

This worksheet is also available online at www.nifi.org/questionnaires.