



VOTING BY MAIL

CENTRAL QUESTION



Should all states conduct elections entirely by mail?

INTRODUCTION



On November 3, 2020, Americans will vote in a general election to choose the president, the vice president, members of Congress, and a number of state and local officials. However, not all voters cast their ballot in the same way, as it falls to the states to conduct elections as they see fit. In this *Close Up in Class Controversial Issue in the News*, we will examine the various methods of voting used in the United States, explore the idea of voting entirely by mail, and challenge you to consider the pros and cons of one of the paths forward.

BACKGROUND



How Are Elections Administered in the United States? When the framers of the Constitution came together to create a new system of democratic government, they employed several innovative guiding principles. The separation of powers between three co-equal branches of government ensured that no one person or institution had too much authority. And a system of federalism (in which multiple levels of government share control) divided power between federal, state, and local authorities.¹

In keeping with the principles of federalism, the United States has a highly decentralized system of conducting elections. Whether an election is deciding the occupant of a federal, state, or local office, it is the state that decides much of how to run the election, with the county, city, or town often in charge of the detailed functions. States decide how to register voters; certify candidates; design ballots; obtain, test, and certify voting equipment; collect and tabulate voting results; and ensure that local officials follow election laws. As a result, no two states conduct elections in the same way.²

How Do Voters Cast Ballots? When conducting elections, states use several different methods of collecting votes. Some of these methods require voters to visit a polling place on Election Day, where they vote under the supervision of election officials or volunteer workers. Other methods allow or require voters to complete a ballot at home and mail it in to be verified and counted by election authorities.

In-Person Voting Methods:

- **Optical Scan Paper Ballot:** Voters mark their choices by filling in ovals or boxes on a paper ballot. The paper ballots are then scanned at the polling place or at a central location.
- **Direct Recording Electronic (DRE) System:** Voters use a computer (with a touch-screen, dials, or buttons) to record their votes in the computer's memory. Some DRE systems have a printer, which voters may use to confirm their choices before finishing.
- **Ballot Marking Device (BMD):** Voters read their choices on a computer screen (possibly equipped with audio) and then mark a paper ballot. The ballot is later counted by hand or by an optical scan machine. This system is designed to help disabled voters.
- **Punch Card:** Voters use a paper card and a small cutting device to punch holes in the card to mark their votes. The ballot may be counted by hand or by an optical scan machine.
- **Hand-Counted Paper Ballot:** Voters use a paper ballot that is counted by hand, without the use of any technology.³

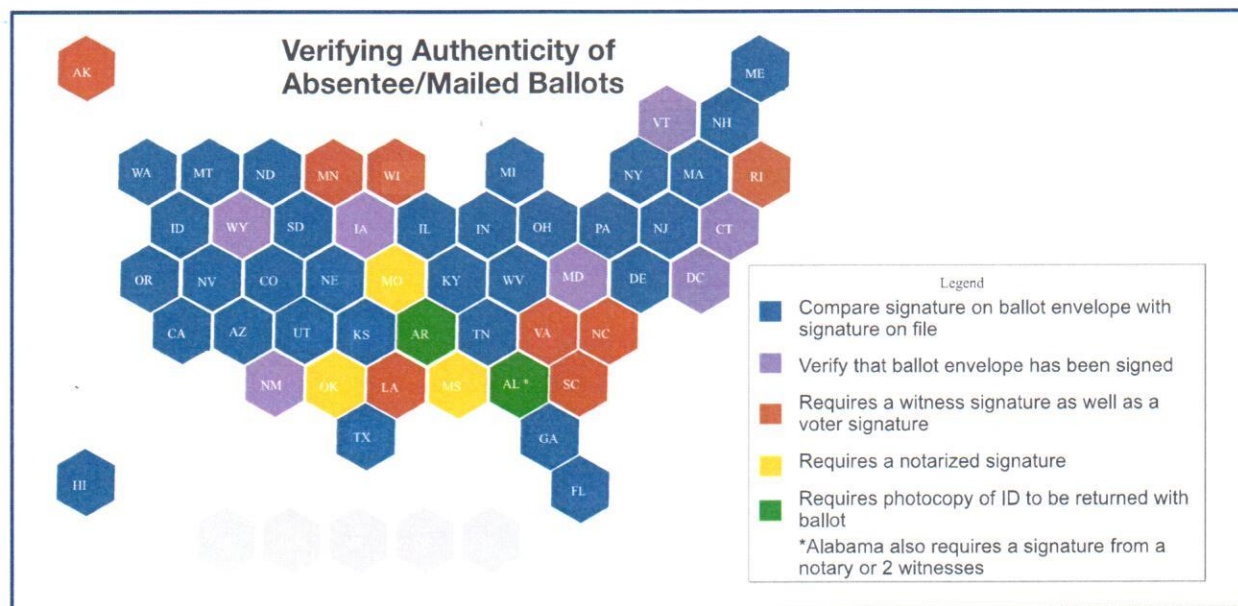
At-Home Voting Methods:

- **Absentee Ballot:** In any state, voters may request an absentee ballot (to be completed and mailed in ahead of the election) if they are unable to be present at the polls. One-third of the states require voters to provide an excuse for needing an absentee ballot; two-thirds of the states do not require an excuse.⁴
- **Vote-By-Mail:** In a vote-by-mail system, all registered voters receive a ballot in the mail. Voters mark their ballot, place it in a provided mailing envelope, sign an affidavit on the exterior of the envelope, and return the ballot by mailing it or dropping it off. Ballots are mailed out well before Election Day, so voters have more than a single day to vote. As of April 2020, five states—Colorado, Hawaii, Oregon, Utah, and Washington—conduct all elections entirely by mail.⁵

Whether a state conducts its elections in person or at home, officials must have in place a system for verifying the identity and eligibility of voters.

When people vote in person at a supervised polling place, a state may require voters to show an approved photo ID or other identifying document, sign an affidavit or a poll book, or provide personal information such as an address.⁶

When people vote in an unsupervised environment (at home) and mail in their ballot, officials must ensure that each ballot is indeed from the intended voter. To do this, 31 states conduct signature verification, by comparing the voter's signature on the mailed ballot to other documents on file. Eight states require the signature of both the voter and a witness, three states require the ballot envelope to be notarized, and two states require a copy of the voter's ID with the ballot. Six states confirm that the ballot envelope has been signed, but they do not conduct signature verification.⁷



Source: National Conference of State Legislatures, 2020



Should all states conduct elections entirely by mail?

The idea of conducting elections entirely by mail received new attention in early 2020, as Americans found themselves in the midst of both a presidential primary season and a global pandemic of the novel coronavirus, COVID-19.

As of April 7, 2020, the day of the Wisconsin primary, some 42 states (including Wisconsin) had issued stay-at-home orders to help slow the spread of COVID-19. In general, these orders asked residents to shelter in place and to leave home only to engage in essential activities, such as purchasing food or seeking medical attention.⁸ Yet in-person voting went ahead in Wisconsin, leading some voters and poll workers to stay home out of concern for their health, and others to wait for hours in long lines to vote.⁹

With the general election set for November 3, 2020, some policymakers are pushing for every state to follow the example of Colorado, Hawaii, Oregon, Utah, and Washington by adopting a vote-by-mail system. Advocates argue that voting by mail is highly convenient, that it protects the health and safety of voters, and that it allows Americans to make measured, reasoned choices when voting. Opponents, however, insist that voting by mail threatens the security of democratic elections; opens the door to fraud, coercion, and voter error; and places states on the hook for the new costs.



SHOULD ALL STATES CONDUCT ELECTIONS ENTIRELY BY MAIL?



YES: Voting by mail is safe and smart, and could boost voter turnout and financial savings.

"In a democracy, no one should be forced to choose between health and the right to vote," wrote Senator Amy Klobuchar, D-Minn. "Imagine if days before the November election, you learn that your polling place has been closed, that your request for an absentee ballot has gone unfulfilled, and that you have to risk a grave infection by standing in line—possibly for hours—to claim your stake in our democracy. If that sounds outrageous to you, it should. But it's exactly what happened in the Wisconsin election last week."¹⁰

Senator Klobuchar makes an important point. Had Wisconsin been equipped to vote by mail, the state could have conducted its primary election fairly and securely without compromising the health of its residents. But that is not what happened. And with COVID-19 continuing to present a serious threat to public health, every state should make the commonsense reform of enacting a vote-by-mail system.

Even if Americans were not in the middle of a global pandemic, voting by mail would be a smarter method of conducting elections than in-person voting. "As the first state to move forward on all vote-by-mail, we know that vote-by-mail is proven as the most reliable and secure way for Americans to exercise their right to vote," said Governor Kate Brown, D-Ore. "It's modern, it's secure, it's efficient, and it's less expensive than in-person voting."¹¹

When states use a vote-by-mail system, they make it as easy as possible for voters to make reasoned, educated choices. Registered voters receive their ballot at home well ahead of the election, so they have more than enough time to study the candidates and investigate the important issues at hand. Such a system also offers incredible promise for boosting voter turnout, as voting by mail eliminates any need for voters to schedule time away from work to vote or to wait in long lines on Election Day.

Voting by mail could also help states save money, as the mailing of ballots reduces the need for staff and equipment in polling places. A 2016 study by the Pew Charitable Trusts found that costs decreased by an average of 40 percent in five categories of election administration across 46 of Colorado's 64 counties after the state implemented several voting reforms, the most significant of which was a vote-by-mail system.¹²

"And if you want to know what it's like to vote in a healthy, safe, and secure way—from the comfort of your own home—just ask President [Donald] Trump," noted Senator Klobuchar. "He's been doing it for years."¹³



NO: Voting by mail opens the door to fraud, coercion, and immense new costs.

Americans are indeed living in a time of great uncertainty, thanks to the COVID-19 pandemic. However, states cannot let fear push them into compromising the integrity of democratic elections and the sacred right to vote. Voting by mail is less secure than in-person voting, more susceptible to fraud and voter error, and the potential source of significant costs for cash-strapped states.

When Americans vote in person at official polling places, they cast their ballots under the supervision of trained poll workers. These workers confirm that voters are registered, that they are indeed who they say they are (by checking ID, a signature, and/or personal information), and that each is voting only once, on his or her own ballot.

But when people are allowed to vote at home unsupervised, there is a much greater chance of fraud. An indifferent voter could give a ballot to an unauthorized family member or friend—someone who has already voted or is not registered to vote. Or, an unauthorized family member or friend could steal a voter's ballot without the person's knowledge, and turn it in simply by forging a signature. Six states and the District of Columbia merely check that a mailed ballot envelope has been signed, but they do not conduct any signature verification.¹⁴ This is not election security.

A vote-by-mail system also opens the door to ballot harvesting—a practice in which organized workers collect ballots from voters and then drop them off with election administrators.¹⁵ This is incredibly problematic. Unethical ballot harvesters have the power to come to a person's home and influence them to vote in certain ways or push them to fill out a ballot that they otherwise would not have. Ballot harvesters could also collect ballots only from people who agree with them, or destroy or not turn in ballots from people who disagree with them. "Mail ballots are a very dangerous thing for this country because [there are] cheaters," said President Trump. "They go and collect them."¹⁶

In addition to security concerns, voting by mail paves the way for an increase in voter errors, as there are no supervising officials or machines to catch marking mistakes before a ballot is turned in. Voting by mail could also lead to immense new printing and postage costs for states. According to the Brennan Center for Justice, the cost of implementing vote-by-mail for everyone could be up to \$1.4 billion, with postage alone costing up to \$600 million.¹⁷

In the end, voting in person is the only way to protect the fairness and security of U.S. elections. Americans cannot let fear and uncertainty drive them into giving up this tradition.

QUESTIONS TO CONSIDER



1. Do you believe states should conduct all elections entirely by mail? Why or why not?
2. What system of voting do you believe to be the most fair and effective? Explain your answer.
3. Do you believe that voting is a right or a privilege? Or both? Explain your answer.
4. Do you believe it is the job of government to make it as easy as possible for citizens to vote? Or are there some things that citizens should be asked to do (register, show up at a polling place, educate themselves on the issues) in order to vote? Explain your answer.