Anticipating a Red Mirage

How Vote-by-Mail Could Alter the Dynamics and Outcomes of the 2020 Election

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<u>Summary</u>

A record number of Americans intend to vote by mail (VBM) rather than at polling places in this November's election. While ballots cast in-person at polling places will almost instantaneously figure into election tallies, VBM ballots, subject to postal timelines, local regulations, administrative resources, and legal challenges, will inevitably take longer to enter into tabulations. As a result, Republican voters, who are almost twice as likely to vote at polling places this election, will be over-represented in initial vote tallies. This disparity in timing will result in a Red Mirage of states where President Trump will hold an early lead on election night. This Red Mirage will fade only after mail-in ballots are delivered, verified, and counted over the days, or even weeks, that follow.

Republican candidates and their supporters have encouraged this disparity and have already announced their intention to exploit both the disproportionate Democratic share of VBM and their resultant early lead in election tallies. Trump has claimed election results must be finalized on election night and called for the rejection of subsequent mail-in ballots. These efforts to challenge the legitimacy of a legal form of voting will decrease former Vice President Biden's vote share and increase the likelihood of Republicans retaining power up and down the ballot, potentially overriding the will of the American electorate.

The Red Mirage and VBM ballot rejections can and must be addressed through media and voter education efforts, to be mounted in the final weeks running up to the election.

Dynamics: Red Mirage

VBM has historically increased overall turnout without affecting ultimate election outcomes (<u>Thompson</u>). Yet, verifying and counting mail-in and drop-off ballots is a largely manual and difficult task, creating issues of timing rather than outcomes. As early as 2004, election results tallied on election day have leaned Republican, while votes tallied after

election day have skewed Democratic, causing the overall results over time to shift from Republican (red) to Democratic (blue). This pattern has been identified as the "blue shift" (Foley).

Hawkfish polling conducted during the coronavirus pandemic's summer surge portends not just greater use of VBM, but also more partisanship in that voting method choice. Highly partisan VBM messaging and health risks are apparent in voter interest and concerns about VBM:

- Roughly 7 in 10 Democrats perceive a moderate or high risk of coronavirus transmission at polling places. 8 in 10 Republicans believe the health risk of in-person voting is low.
- 55% of Republicans believe it is very likely a substantial number of mail-in or drop-off ballots should not be counted, because the ballots are illegitimate. Only 9% of Democrats agree.

Therefore, it is not surprising that, while VBM is likely to double from 21% in 2016 (<u>Gomez</u>) to over 40% in 2020, almost all of that increase is attributable to Biden supporters' choice to vote by mail. 55% of Biden supporters plan to mail-in or drop-off their ballots versus 20% of Trump supporters.¹ This disparity in voting method choice can be more extreme in swing states.

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Swing States	<i>FiveThirtyEight</i> Polling Average (9/23)		Supporters Intending to Mail-In or Drop-Off Ballot		Reported Results after In-Person Ballots Counted		% of VBM Ballots Needed for Leader to	Mail-In Ballot Delivery
	Biden	Trump	Biden	Trump	Biden	Trump	Win	Deadline
Michigan	50%	42%	70%	29%	33%	67%	69%	11/17/2020
Minnesota	51%	42%	49%	17%	43%	57%	50%	11/10/2020
Nevada	47%	41%	55%	21%	39%	61%	70%	11/10/2020
Wisconsin	50%	44%	61%	20%	36%	64%	71%	11/09/2020
Pennsylvania	50%	45%	55%	6%	35%	65%	83%	11/06/2020
North Carolina	48%	47%	37%	14%	43%	57%	91%	11/06/2020
Florida	48%	46%	57%	26%	38%	62%	90%	11/03/2020

Table 1

Looking at candidate choice by vote method intent, we can expect Trump to lead Biden by ~30 percentage points in ballots cast at polling places, while 2 in 3 mail-in ballots will favor

¹ Mail-in ballot requests thus far, in states where party affiliation data is available, are consistent with our findings on voters' intentions to VBM.

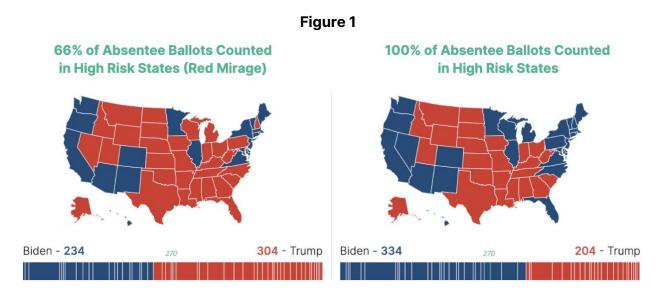
Biden.

These partisan differences in voting method would ordinarily not be an issue, but given likely delays in VBM tabulation,² here's what we can anticipate:

- Biden's current lead will only be evident after *well over half* and as much as 90% of the mail-in and drop-off ballots in vital swing states are counted (Table 1).
- In Wisconsin and Nevada, where Biden is polling 6 percentage points higher than Trump, over 70% of mail-in and drop-off ballots must be counted before Biden pulls ahead in the states' reported results.

In the event that Biden maintains his current lead in swing states and high risk states tally fully two thirds of the mail-in and drop-off ballots they will ultimately receive by election night, Trump would appear to lead in enough states to surpass Biden by 70 electoral votes (Figure 1). This illusion is what we call a Red Mirage.³ Biden's lead only becomes apparent after approximately 90% of mail-in and drop-off ballots nationally are tabulated over the days, or even weeks, that follow.

An increase in Democrats' adoption of in-person voting on or before election day mitigates the likelihood of a Red Mirage on election night. For more strategies to limit the probability of a Red Mirage, please see the final section of this report, "Approaches to Mitigation."



² During the 2020 Democratic Primaries, election officials in states with historically low levels of VBM struggled to process the coronavirus-related surge in a timely manner; VBM ballot tabulations took as long as two weeks (<u>Otterbein</u>). Further, concerned about postal delays in delivering ballots, many states have extended deadlines, not for ballot submission, but delivery, further reducing the likelihood that states' will have, much less be able to count, the expected volume of absentee ballots by election night.

³ While media outlets may not project a winner in these states on election night, nothing prevents Republican candidates from unilaterally declaring a premature victory.

Outcomes: Vote Suppression or Red Shred

A Red Mirage on election night, which fades as VBM ballots are processed, may well be a secondary concern this election cycle. Given the number of first-time VBM voters, and the sometimes onerous and confusing local requirements for VBM ballots, errors are likely to be common. Although many states have instituted a VBM ballot curing process, these processes are limited by restrictive deadlines, which means even simple errors may not be fixable in the required timeframe.

Because 7 in 10 mail-in and drop-off ballots are likely to be for Biden, such challenges or untargeted disqualifications of VBM ballots would tighten the margin between Trump and Biden or even potentially flip the election in favor of Trump.

During the Democratic Primary Election, over half a million VBM ballots were rejected for technical reasons (Viebeck). Republicans in critical states such as Pennsylvania have indicated (Gellman) that they are well aware of this opportunity and are focusing on a wide range of VBM ballot vulnerabilities including:

- A missing or even illegible postmark, which may prevent verification that a VBM ballot arrived within a state's delivery window.
- An incorrect or illegible date on the ballot's signature line.
- A signature or address that does not match the voter's signature or address in the voter file.
- A printed signature.
- A partial signature (e.g. last name only).
- Improper use of a ballot's security envelope (e.g. Pennsylvania's "naked ballots").
- A breakage in a ballot's chain of custody (e.g. missing security camera footage).
- Incorrect or unsecure storage of a received ballot.

Trump and Republican strategists and operatives are not hiding their goal: to turn a Red Mirage into a Red Shred of VBM ballots—and in so doing, using vote suppression to manufacture a Trump victory.

It is important to note we are not predicting a Red Mirage on election night or waving the spectre of a Red Shred without care. The Red Mirage is the finding of an analysis of a very real scenario, taking into account current conditions (Biden's 7 point national lead and the state-level Biden-Trump averages reported by *FiveThirtyEight*, our poll's vote method intent, and alternative assumptions about VBM counting timelines). If the current Biden lead increases, the likelihood of a Red Mirage decreases, without additional action.

The Red Mirage scenario is shared to inform, calibrate, and align expert and electorate expectations and actions. The risk to our democracy is too great not to address the most likely scenarios, whose drivers are clear and amenable to action on our parts.

Approaches to Mitigation

We encourage those interested in election integrity to mitigate the Red Mirage and Red Shred scenarios along four distinct vectors:

1) Voter Education: The most obvious way to reduce the likelihood and impact of a Red Mirage is to increase voters' appreciation and understanding that election results cannot be determined until mail-in and drop-off ballots are delivered and counted. Given mail delays in combination with local regulations that allow for ballots postmarked by November 3 to arrive as late as November 17, states will not be able to tabulate many of the ~40% of ballots coming by mail until days or even weeks after "election day," even under the best conditions. The American people will not be fooled by a Red Mirage, if we understand that a Trump lead is expected when all in-person votes, but not VBM ballots, have been counted.

If mailing-in or dropping-off a ballot, voters should plan to submit their ballot early, ideally by Halloween, to improve opportunities for curing / fixing issues. A specific, rather than relative, goal of "early," is more effective (Locke & Latham) and easily communicated. Additionally, voters can be guided to ensure their completed ballots fulfill all local legal requirements (e.g. secrecy sleeve, witness or notary, inclusion of an ID number).

Examples of voter education campaigns currently include <u>HealthyVoting</u>, <u>I Will Vote</u> by the DNC, and Stephen Colbert's "<u>Better Know a State</u>."

- 2) In-Person Early Voting Awareness: In addition to avoiding long lines (and greater risk of coronavirus exposure), voting early in-person reduces the likelihood of a Red Mirage and limits opportunities for the suppression of Democratic votes by legal challenges to mail-in ballots. Currently, a majority of voters who have the option to vote early do not know it exists. Increasing awareness of early in-person voting as an option is of paramount importance. For that reason, this mitigation is enumerated here, rather than under the general rubric of voter education.
- 3) **Media Sensitivity:** We are sharing all information on voting method intent and implications with media organizations and pundits to reduce the likelihood they mistake a Red Mirage for a red sweep and increase the likelihood they counter any false claims of a victory based on historic indicators, such as statistics on "% of precincts reporting."

We are highlighting the need to understand and use voter intent to provide context for the early results available, which will inevitably favor polling place voters.

- 4) Local Resourcing, Curing and Oversight: We support efforts to bolster local VBM ballot intake, possession, curing, and legal oversight to minimize risks of inadvertent or malicious behavior. These efforts are all critical to avoid undermining the principle that all registered voters have an equal voice in the selection of the next president of the United States.
- 5) Florida Strategy: Last, but not least, is the opportunity to expand the Biden lead in the closest of races and Florida in particular. Given the narrowness of Biden's lead today, Florida will have to count 90% of its VBM ballots to evidence a Biden victory. But two independent factors make it a strong battleground for election integrity: 1) The state appears committed and well-positioned for the efficient processing of VBM ballots and 2) President Trump's endorsement of absentee balloting in the state as "tried and true ... safe and secure" is contributing to Republicans in Florida expressing greater intention to VBM. This means that VBM ballots in Florida are less likely to be partisan and, therefore, less likely to be blindly challenged by Republicans. Should Biden increase his lead in Florida, the probability of a Red Mirage early on election night diminishes.

<u>References</u>

Foley, Edward B.; Charles Stewart III. "Explaining the Blue Shift in Election Canvassing." September 1, 2015. *MIT Political Science Department Research*. <u>https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2653456</u>

Gellman, Barton. "The Election that Could Break America." September 23, 2020. *The Atlantic.*

https://www.theatlantic.com/magazine/archive/2020/11/what-if-trump-refuses-concede/6 16424/

Gomez, Vianney; Hannah Hartig; and Bradley Jones. "As States Move to Expand the Practice, Relatively Few Americans have Voted by Mail". June 6, 2020. *Pew Research Center.*

https://www.pewresearch.org/fact-tank/2020/06/24/as-states-move-to-expand-the-pract ice-relatively-few-americans-have-voted-by-mail/

Latham, Gary; Edward Locke. "Building a Practically Useful Theory of Goal Setting and Task Motivation." 2002. *American Psychologist*.

http://med.stanford.edu/content/dam/sm/s-spire/documents/PD.locke-and-latham-retrosp ective_Paper.pdf

Mena, Kelly. "Naked' Ballot Rules Put Thousands of Pennsylvania Mail-In Votes at Risk." September 22, 2020. *CNN.*

https://www.cnn.com/2020/09/22/politics/pennsylvania-warning-secrecy-envelope-2020election/index.html

Otterbein, Emily. "Can You Imagine If We're Waiting on Pennsylvania?': State Dems Scramble to Avoid Voting Fiasco." September 3, 2020. *Politico*. <u>https://www.politico.com/news/2020/09/03/pennsylvania-democrats-election-day-40814</u> Z

Thompson, Daniel M.; Jennifer Wu; Jesse Yoder; and Andrew B. Hall. "Universal Vote-by-Mail Has No Impact on Partisan Turnout or Vote Share." May 6, 2020. *Stanford University Democracy & Polarization Lab.*

http://www.andrewbenjaminhall.com/Thompson_et_al_VBM.pdf

Viebeck, Elise. "More than 500,000 Mail Ballots were Rejected in the Primaries." August 23, 2020. *Washington Post*.

https://www.washingtonpost.com/politics/rejected-mail-ballots/2020/08/23/397fbe92-db 3d-11ea-809e-b8be57ba616e_story.html

<u>Appendix</u>

To assess vote choice and intention to vote by mail versus at one's polling place, we surveyed above 9,771 registered voters in fifty states and the District of Columbia between September 9, 2020 and September 14, 2020. Responses were filtered to those who said they were likely to vote and weighted to represent state and national registered voter demographics.

Our survey data allowed us to calculate state-specific estimates of vote choice for each voting method, adjusting vote choice to recent published state and national *FiveThirtyEight* estimates (September 8, 2020, one day before the poll was conducted). For our scenarios, we assumed that votes at the polls will be counted on election day (November 3).

State	Risk (10 Highest to 1 Lowest)	Battleground State	Signature Match, Witness, Notary, or ID Required	Greater than 3x Past Volume	Ballot Processing Starts on Election Day	Not All Ballots Delivered by Election Day
Pennsylvania	10	v	v	v	~	11/06/2020
Wisconsin	10	>	~	v	v	11/09/2020
Michigan	8	v	v		~	11/17/2020
North Carolina	8	v	v	✓		11/12/2020
Mississippi	8		v	✓	~	11/10/2020
New York	8		~	✓	~	11/10/2020
West Virginia	8		~	~	~	11/09/2020
Georgia	6	~	~	~		
Minnesota	6	v		✓		11/10/2020
Nevada	6	v		v		11/10/2020
Ohio	6	~	~			11/13/2020
Illinois	6		~	~		11/17/2020
Maryland	6		~	~		11/13/2020
New Jersey	6		~	~		11/09/2020

State Risk Factors