Election Security and Voter Suppression

Election Security:

- **Paper ballots to back up vote**
  To assure that voting is accurate, paper ballots or paper records of voting are the best way to combat election tampering. Efforts to pass a bipartisan bill to require backup paper balloting has not been successful.
  States that require paper backup:
  14 states require paper ballots; 17 states and Washington, D.C. require voter-verifiable paper record for voting machines, 6 states require voting machines to have a permanent paper record.
  13 states do not require voting machines to have a paper trail.
- **Hacking of elections**
  Information from the RSA Conference in SF in 2020
  - Cybersecurity experts believe efforts are already underway to spread misinformation and undermine the credibility of the 2020 U.S. presidential election
  - In the 2016 election season, intelligence suggests many high-profile data breaches were carried out by hackers in Russia. In 2020, there's evidence that much of the online meddling is coming from Iran
  - Though there's concern over protecting vote-counting systems, experts say the greater threat is attempts to influence public opinion through social media and news manipulation

  The following are some ways that election security is undermined:
  - "Phishing" attacks are messages that are sent that look legitimate but are not and can lead to obtaining passwords, etc. that lead to leaked documents and sensitive information.
  - "Botnets" – tiny malware programs that embed themselves on consumers' phones, laptops and tablets and use their network connections to silently create and operate fake accounts. These bots retweet fake news headlines and try to influence public opinion.
  - "Deep fakes" – realistic, fabricated recordings of candidates appearing to say something they never actually said

Harvesting Votes

This is when a State allows someone to collect absentee ballots from certain voters and drop them off at a polling place or election office. California and Florida allow vote harvesting. Arizona only allows a family member or caregiver to turn in absentee ballot. It is illegal in Texas. It is not legal in North Carolina but was investigated in 2018 and a special election was held.

Voter Suppression:

- **Purging registrations**

  Purging eligible voters for illegitimate reasons or based on inaccurate data. These have increased in recent years and jurisdictions with a history of racial discrimination had significantly higher purge rates. (This has been a problem in States that no longer need preclearance with the federal government under the Voting Rights Act.

- **Voter Registration Restrictions**

  Requiring documents to prove citizenship or identification and limiting the window of time in which voters can register. Another example is to require voters to register long before the election.

- **Gerrymandering**
  States redraw district lines every 10 years according to the census. The party in power in the state redraws the lines. The lines only have to be contiguous and can be drawn to favor one party over the other.

- **Voter ID laws**

  36 states have identification requirements at the polls (photo IDs). The US Government Accountability Office estimates this reduces turnout by 2-3 percentage points. Problems: Over 21 million U.S. citizens do not have government issued photo ID's. Impediments to accessibility: Costs of IDs and even when free, other expenses are incurred for underlying documents needed. Travel is an issue for people with disabilities, the elderly and people living in rural areas. This unfairly affects lower income communities.

- **Closing and/or unavailability of voting stations**

  Across the country, counties with larger minority populations have fewer polling sites and poll workers per voter. Only 40% of polling places accommodate people with disabilities. Since the Supreme Court decision on the Voting Rights Act that now limits the federal government's oversight of states with long histories of suppressing minority rights, a report from the Leadership Conference Education Fund looked at about half the counties previously covered by the Voting Rights Act and found 868 polling places have closed.

- **Felony Disenfranchisement**

  States vary in laws about whether persons with a felony conviction can vote. These laws disproportionately affect Black people, who often face harsher sentences than white people for the same offense. The states with the most extreme disenfranchisement laws are those with long records of suppressing the rights of Black people. (In Iowa, 1 in 4 black men have lost their right to vote.)

Government Oversite:

The Cybersecurity and Infrastructure Security Agency (CISA) did not finalized plans to support a nationwide strategy for security in the 2020 elections cycle. Classified briefings are not available to state election officials and the Government Accountability Office (GAO) has suggested the Department of Homeland Security (DHS) offer unclassified briefings. There has been a failure of CISA personnel supporting election security operations to access social media websites which has hindered there collection and analysis of threat information.

https://www.washingtonpost.com/politics/watchdog-warns-of-election-security-issues-this-year-and-chides-federal-agency/2020/03/07/946a7942-5f18-11ea-8baf-519cedb6ccd9_story.html

Information from the Brennan Center:

Vulnerabilities in U.S. Voting systems:

- Analysis of 2016 election: Russian cyber-attacks exposed "research and reconnaissance" against election networks in all 50 states, breached at least one state registration database, attacked local election boards, and infected the computers at a voting technology company.
- Old electronic voting and tabulation systems in most states.
- Old Registration databases that are frequently running on unsupported software which may be more vulnerable to the latest methods of cyberattacks.
- States around the country use electronic poll books that were not subject to independent security certification. And every election, poor ballot design and malfunctioning machines lead to confusion, long lines at the polls, and lost votes. These issues hit low-income and minority voters hardest.

False Narrative of Vote-by-Mail Fraud:

- Trump and his supporters are pushing back against the option of the use of mail ballots saying that a lot of people cheat. Trump: "Mail in voting is a terrible thing".
- Trump and Republicans do not want to fund the Post office.
- Mail ballot fraud is rare and five states use this method of voting as the primary way to vote.
- 28 states give voters the option of voting by mail.
- There is bipartisan support for vote by mail given the current pandemic issues.

Oversight of Private Companies That Create Voting Technologies

As a result of Iowa caucuses issues the following were highlighted:

- The need for paper ballot backups to ensure an accurate count
- Voting should not take place on smartphone apps
- Running of elections should be left to professionals
- Oversite of private tech companies

From Stacey Abram's Fair Fight:

Through Fair Fight, Stacey Abram is asking the court to implement remedies to problems that have occurred in Georgia. These problems also exist in other states.

- Ending large scale purges of the voter rolls under the "use it or lose it" policy.
- Ending Georgia's "exact match" policy
- Ending the use of insecure voting machines, through handmarked paper ballots that voters can verify.
- Ensuring uniform election procedures in all counties in the state.
- Ensuring that absentee and provisional ballots are treated/counted fairly and consistently
- Ensuring efficient, just and fair elections.

Information for this report came from the ACLU, League of Women Voters, Brennan Center, Stacey Abram's Fair Fight site, and the Washington Post.

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