



Impact of COVID-19 on the 2020 US presidential election

Case Study, 20 November 2020

Kate Sullivan

© 2020 International Institute for Democracy and Electoral Assistance

International IDEA publications are independent of specific national or political interests. Views expressed in this publication do not necessarily represent the views of International IDEA, its Board or its Council members.

The electronic version of this publication is available under a Creative Commons Attribution-NonCommercial-ShareAlike 3.0 (CC BY-NC-SA 3.0) licence. You are free to copy, distribute and transmit the publication as well as to remix and adapt it, provided it is only for non-commercial purposes, that you appropriately attribute the publication, and that you distribute it under an identical licence. For more information visit the Creative Commons website:
<<http://creativecommons.org/licenses/by-nc-sa/3.0/>>

International IDEA
Strömsborg
SE-103 34 Stockholm
Sweden
Telephone: +46 8 698 37 00
Email: info@idea.int
Website: <<https://www.idea.int>>

This case study is part of a collaborative project between the Electoral Management Network <<http://www.electoralmanagement.com>> and International IDEA, edited by Toby S. James (University of East Anglia), Alistair Clark (Newcastle University) and Erik Asplund (International IDEA).

Created with Booktype: <<https://www.booktype.pro>>

Contents

Impact of COVID-19 on the 2020 US presidential election	5
1. Introduction	5
2. Background	5
3. COVID-19 in the United States	6
4. Holding the election	7
5. Litigating the election	8
6. Financing the election	8
7. Voter Registration	9
8. The electoral campaign	10
9. Voter arrangements	11
10. A politicized response to voting during COVID-19	18
11. Lessons learned	18
References	22
Further reading	29
About the author	30
About International IDEA	30

Impact of COVID-19 on the 2020 US presidential election

Kate Sullivan

1. Introduction

This case study looks at how the administration and environment of the 2020 US presidential election was affected by the onset of the COVID-19 pandemic. US presidential elections are in reality more than 50 separate elections, and held concurrently with elections for a wide variety of other federal, state and local offices, along with referendums or ballot measures. Unsurprisingly then, the study shows that there was no unified response to the pandemic.

Unless specifically noted, this case study does not examine the impact of the pandemic on the political party nominating contests, or other federal and state elections. The study notes the impact of the pandemic on various elements of the electoral process and details what actions were taken to provide open but safe participation and access in the face of the pandemic.

The elections were delivered relatively smoothly (and with notable turnout), but in an environment of continued uncertainty as to what arrangements to make and how they would be funded, and with repeated recourse to litigation. The large rise in postal voting and the expanded provision of early voting saw voters have access to a range of voting channels, allowing them to choose the one that best suited their (COVID-altered) circumstances. Being able to deliver such choice, albeit in an acrimonious and tense political environment, is a real achievement for US electoral officials.

This study was written while vote counting, post-election processing and electoral litigation were ongoing in several states. While individual statistics cited herein may change, the trends relied upon will not.

2. Background

In the United States, there is no uniformity in electoral arrangements for federal elections; powers to make laws and rules for federal electoral administration are dispersed between

federal, state and local governments. The US Congress has some power to mandate electoral arrangements for federal offices, and they have done so in the case of some aspects of voter registration and polling arrangements for members of the military and US citizens abroad. This dispersal of policy-setting, decision-making and funding responsibilities, and the heightened partisan divisions in present-day US politics, meant that a unified response to the COVID-19 epidemic proved hard to reach in many states.

Nevertheless, there are communities of practice within US electoral administration, and there has been sharing of COVID-19 experience and resources within and across states. The federal Election Assistance Commission did make efforts to share information on how to deliver COVID-secure elections, though with some criticism (Huseman 2020) that they were passing on others' information rather than generating tailored guidance materials.

The fragmentation of decision-making is exacerbated by the partisan nature of decision-making. Of course, it is a fact the world over that electoral laws are made by legislatures that have been elected on a partisan basis. However, implementation is then often handed over to non-partisan administration: independent electoral management bodies are a feature of arrangements in 137 countries (64 per cent) around the world (International IDEA n.d.). In the USA, partisan implementation of electoral laws is built into the system, either through the use of an elected official as a state's chief electoral officer (NCSL 2020a), as occurs in 26 states; or through the use of partisan-based oversight boards and commissions.

There are two federal commissions related to electoral matters—the Federal Election Commission (FEC), which has oversight of federal political finance matters, and the Electoral Administration Commission (EAC), which has an advisory and sometimes a funding role—both of whose statutes require appointment of commissioners on an equal partisan basis.

The USA also has an unfortunate history of using discriminatory electoral arrangements to exert political and societal control over minority groups, and for the achievement of electoral outcomes that amplify the societal position of the majority group. In many parts of the country, especially the Jim Crow South, blatant and deliberate exclusion of African-American citizens from the electoral process (including for partisan motives) was practised up until the passage of major civil rights legislation in the 1960s and various organisations (Brennan Center for Justice n.d.) have detailed modern practice and policy that achieves the same ends.

The US Constitution stipulates a four-year presidential term, and federal statute sets a uniform voting day. In 2020, the incumbent President Donald Trump of the Republican Party stood for re-election. His main challenger was former Vice-President Joe Biden of the Democratic Party. A variety of other candidates appeared on presidential ballot papers in some states, including candidates from the Green Party and the Libertarian Party (Ballotpedia n.d.); however, the two major parties have held a duopoly on the first and second places in presidential elections since 1916. Prior to the election, Mr Trump's Republican Party held a majority in the Senate, and the Democratic Party the majority in the US House of Representatives; 33 Senate seats were to be elected in 2020, and all 435 House seats.

3. COVID-19 in the United States

The national Centers for Disease Control and Prevention (CDC) are responsible for compiling statistics on COVID-19 cases in the United States (see CDC n.d.a). Between 21 January and 31 October 2020, the nation reported 9,105,230 cases and 229,932 deaths. The USA experienced noticeable peaks in the average number of confirmed cases being reported

in April, August and October with a continued rise to the end of October, three days before the statutory polling date of 3 November (Johns Hopkins n.d.).

The United States did not, unlike many western and central European countries, ‘flatten’ its COVID curve during the summer months (NB, of the 11 such countries in the Johns Hopkins dataset, only Romania did not experience a full flattening of the curve). The continued transmission of the virus in the wider community meant that electoral administrators and their political stakeholders had to plan for an election to take place in pandemic conditions. (Some states also held party primary elections and other state and local elections under pandemic conditions prior to the November general election.)

As with the administration of elections, responsibility for responding to health emergencies is shared across levels of government in the United States and so the response to the COVID pandemic by US authorities has been similarly varied. The CDC did issue guidance for electoral officials, their staff and voters on how to vote in a COVID-safe manner (CDC n.d.b). It is hoped that some assessment of take-up of these resources is made in the post-election period (perhaps by the EAC who re-shared these resources, and others) through their own channels. It is also clear that at state level, electoral officials consulted with state public health authorities on how to arrange COVID-safe elections.

Fortunately, by November, mitigation measures (hand-washing, mask wearing and physical distancing) were well-understood among both service providers and the voting public, and perhaps therefore easier to integrate into the election than for those primaries held earlier in 2020. However, there has been a lack of consistency in public messaging around the pandemic in the USA, accompanied by efforts at all levels of government to shift blame and responsibilities onto other authorities. As the year progressed, the topic of the pandemic and how to respond to it became increasingly politicized, especially in relation to any measures that could be framed as affecting individual liberties, such as the imposition of lockdowns or requiring the wearing of face masks. In an election year, it was no surprise that the pandemic became a key topic animating voters’ decisions (Pew Research Center 2020; NPR 2020).

4. Holding the election

As federal election dates are fixed and therefore known well in advance, it was clear from the early days of the pandemic’s spread into the United States that the November election could be affected. Unlike countries that discussed or moved election dates due to the pandemic (see International IDEA 2020a), there was no serious discussion of moving the November date in the USA. While President Trump did suggest on Twitter in July 2020 that an election delay should be considered, moving a presidential election date would require action by the US Congress, and the Republican leader of the Senate was quick to dismiss the suggestion as unacceptable (*New York Times* 2020a). Even if the election date were to have been moved, there is no mechanism for changing the expiry of the presidential term as set out in the Constitution, so an election would still need to be held and settled by that deadline (20 January 2021). In the end, electoral administrators continued their preparations for the November election, with broad political support, even as the virus spread across the USA.

5. Litigating the election

There is a lively academic debate as to whether and why the USA might be the world's most litigious society (see Lieberman 1982). What is clear is that US elections are highly, and increasingly, litigious—especially in comparison with other developed democracies. The willingness of all participants in US elections to 'rush to law'—candidates, parties, electoral administrators, office holders and interest groups—means that electoral administrators have little certainty about what arrangements they must make. This is exacerbated by potential litigants' ability to 'forum shop' (that is, to choose among various courts when raising disputes), and it is common for the same election issue to be subject to concurrent litigation in both federal and state courts (see, e.g., Montgomery and Corasaniti 2020).

In 2020, the need to adapt and amend electoral arrangements to enable a COVID-safe election has given rise to a new batch of litigation. As will be shown in sections below, all efforts to widen access to voting services and to improve the enfranchisement of citizens have ended up in court at some moment in 2020. There have been so many cases that to adequately respond, new resources have needed to be created. A key learning resource for federal judges (Federal Judicial Center n.d.) already has 40 case studies of COVID- and election-related cases, and a variety of tracking sites such as the Healthy Elections Database (Stanford-MIT n.d.a) have sprung up to monitor cases.

It is a widely accepted international standard that electoral arrangements should not, unless in case of dire emergency, be changed less than 12 months before polling; in the USA, administrators commonly have to implement legal judgments passed *the day before*, or even on, polling day. Of the 432 cases in the Healthy Elections tracking database, 182 were still 'active' as of 31 October 2020.

6. Financing the election

As in other countries, organizing and delivering a COVID-safe election in the USA has required additional funds for electoral administration. Such funds are required to provide basic safety measures for staff and voters at in-person events (personal protective equipment (PPE), sanitizer, plastic screens etc.); to clean and keep clean electoral facilities to a COVID-safe standard, including the sanitizing of voting machines, touch screens and other multi-user equipment; and to provide additional voting opportunities, whether through the deployment of Special Voting Arrangements to offer a new voting channel, or through expansion of an existing channel of voting (Asplund, James and Clark 2020).

In the USA, federal funds for electoral costs (when available) are provided through the Election Assistance Commission. In March 2020, President Trump signed the

Coronavirus Aid, Relief, and Economic Security Act (CARES Act) into law. The Act included USD 400 million in new emergency funds for states to prevent, prepare for and respond to COVID-19 in the 2020 federal election cycle. The Electoral Assistance Commission distributed the funds in response to state requests and has issued guidance on its usage (US Election Assistance Commission n.d.). Many electoral administrators continued to request additional federal resources to meet the cost of COVID-safe elections (Kelly 2020), but no wider financial package in response to COVID-19 passed the Congress. The Election Assistance Commission will report on the funds used in 2021. Interestingly, these additional funds cannot be used to meet the costs of election litigation, even when the case is related to steps taken (or not taken) by states to provide COVID-safe elections. The costs of complying

with any court orders in such a case can, however, be covered with the CARES Act funds, if in an otherwise eligible category.

A new development in 2020 is the deployment of substantial private funds to electoral administrators to meet such costs. Facebook founder Mark Zuckerberg, along with his wife, made electoral administration grants to the value of USD 400 million. Former California Governor and movie star Arnold Schwarzenegger also provided funds (Center for Public Integrity 2020). Both have stated that they expect the funds to partially cover the costs of adapting to COVID-safe elections, such as PPE, extra staff or extra days of polling. While private funding has long been the engine of US political parties, and is used to fund complementary electoral efforts such as voter registration drives, 2020 is the first year when large sums are being provided from private donors to meet the costs of providing electoral administration services. Not surprisingly, this development has itself been subject to legal challenge (Federal Judicial Center 2020) and cases are pending in at least three other states.

7. Voter Registration

The methods and processes of voter registration are largely determined at the state level. There is a requirement for states to accept the National Mail Voter Registration Form, mandated in law in 1993 for federal elections. States are free to impose their own registration requirements for state and local elections, and many do so.

In the 49 states that require registration—all except North Dakota—voters register using a variety of channels. The following options are available in all states: using papers forms at the local electoral office; registering at the state Department of Motor Vehicles, usually in connection with a driver's license application; using a paper form at other state agencies providing public facing services; and registering through a third party organization such as a political party or civil society organization. From 2014 to 2016, 32.7 per cent of registrations were generated at state Departments of Motor Vehicles and 12.2 per cent were in person at local election offices, with a further 2.1 per cent at other state agencies (US Election Assistance Commission 2017). All these channels of registration were affected by COVID-19 restrictions: many state government offices—crucially including Departments of Motor Vehicles—were closed for substantial periods of time, blocking the registration channel that 47 per cent of registered voters used for 2016. These effects were felt in a variety of states. In New Jersey the state added 8,002 new voters in April 2020, compared to 29,000 added in April 2016 (Biryukov 2020). Arizona took 48,614 new registrations in March 2016, but only 31,872 in March 2020 (Center for Election Innovation and Research n.d.).

In addition to these governmental offices being closed to registrants, the registration efforts usually mounted by political parties and civil society rely heavily on face-to-face interactions in those states that stipulate a paper-based registration process. Opportunities to do so, such as door-knocking, setting up stalls at events and shopping locations, mobilizing through music festivals, religious services and other activities were all obstructed by COVID-related restrictions on gatherings and events (see e.g. Wines 2020; Garrison 2020).

Forty states offer some form of online voter registration, supplementing their paper-based channels. While this may appear to offer an easy solution to the lack of face-to-face services, there is a catch: 'In most states, online voter registration systems work for people who have state-issued driver's licenses or identification cards, although a few states provide online access for other potential voters as well' (NCSL 2020f). So if a voter is new to the state, or does not have a state-issued identification document, they will not be able to use the online system. In 2020, this barrier was compounded by the lack of opportunities to have such identification issued at a government office, as discussed. At a national level, delays were also

experienced throughout 2020 in the processing of US passports (Morello 2020), another commonly accepted identification document.

Similar issues arose in the 19 states (and the District of Columbia) that offer what is known as ‘automatic voter registration’: these states register voters ‘automatically’ when they undertake a qualifying transaction with a state government agency such as the Department of Motor Vehicles. Closed offices limited the qualifying transactions that could be made.

Twenty-one states and the District of Columbia also offer some form of ‘same day registration’, where a voter can register and vote on the same day, whether at an election office, early voting centre or traditional polling station. All these states require proof of residency, and some require photo identification. Again, the issuance of such documents was significantly impacted by pandemic restrictions in 2020, making same day registration perhaps less of a corrective to the abovementioned registration constraints than it could have been.

There is as yet no overall national picture of the final impact of COVID-19 on voter registration; that will take some months of analysis and research. However, fairly soon after 3 November, some initial statistics should be available to indicate whether the trends of lower registrations carried through the whole registration period. As the election was both highly contested and highly contentious, prospective voters may have found ways of registering, especially once opening restrictions were eased in many states in the US summer months.

Closely related to the issue of voter registration is that of voter identification. Thirty-five states require voters to show a form of identification document when they come to vote (or to note the document’s details on a postal voting declaration) (NCSL 2020c); 17 of these states require the identification document to have a photo. Commonly accepted forms of photo identification are again those issued by the Department of Motor Vehicles and other state agencies; in many states these documents must be currently valid to be accepted. Just as with registration, there may be a pandemic-related impact for some of those voters refused a vote due to lack of valid and acceptable identification. There have not been widespread reports of such issues arising on 3 November, and in many states the relevant government offices were open again (see e.g. Sink 2020, for a case in Colorado), but a fuller picture will have to wait for post-election analysis.

8. The electoral campaign

US elections are long, drawn out affairs—Mr Biden announced his candidacy on 25 April 2019 and was finally officially nominated on 18 August 2020. Both the Democratic and Republican parties held their nominating conventions online this year (at <www.demconvention.com> and <www.2020gopconvention.com>, respectively), a significant departure from the usual practice of gathering party delegates and office holders in a selected city for a multi-day jamboree (Klinghard 2020).

The US general election campaign was traditionally considered to start after Labor Day, the public holiday that marks the end of the US summer vacation (in 2020, this fell on 2 September). While many states relaxed their COVID-related restrictions over the summer months, by September the rate of infection was rising in the USA. This led to a decrease in traditional face-to-face campaigning, such as door-knocking, public events and large rallies.

However, as September and October unfolded, the two main campaigns diverged considerably in their approach. That of Mr Trump reverted to the holding of large, public rallies that had been a feature of his successful 2016 campaign. Rather than indoor arenas, however, the 2020 Trump campaign largely made use of outside venues, and often airfields where Mr Trump would fly in on Air Force One, hold the rally and depart. Reports indicate

that Mr Trump was determined to deploy such rallies in 2020, even at short notice and with little preparation (Elfrink, Shammas and Griffiths 2020). The rallies reflected Mr Trump's own ambivalent relationship with COVID precautions, insofar as it was common to see large crowds without masks and not observing social distancing. A recent study (Bernheim et al. 2020) of 18 such rallies held by Mr Trump between June and September 2020 estimated that they 'ultimately resulted' in more than 30,000 incremental confirmed COVID-19 cases and 'likely led to' more than 700 deaths.

Mr Biden's campaign was slower to return to the road but in October began holding 'drive-in' rallies where supporters stayed in their cars at a parking area or sports ground to hear from Mr Biden and his campaigners. The distant nature of the crowds at such rallies contrasted poorly with television pictures of animated crowds at Trump rallies, but this may have been a deliberate campaign message of safety and sobriety (Reuters 2020).

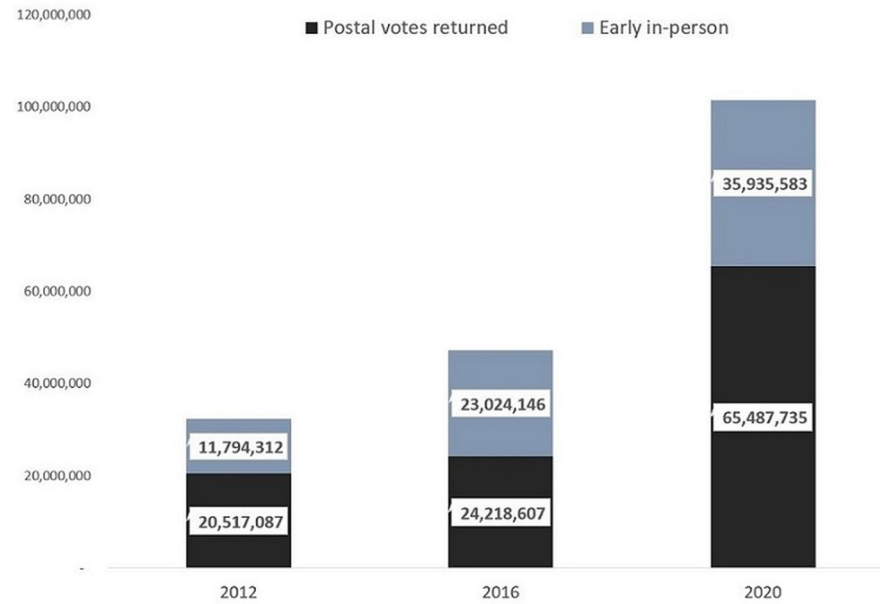
Both campaigns continued the use of online campaign tools that have been a feature of recent US elections. The use of video-conferencing software that became common during the pandemic lockdowns has also entered the electoral sphere, with the Biden campaign utilizing the Democrats' connections with the entertainment industry to mobilize and motivate voters (see Chaney 2020), and also mixing old and new tools to give campaigning a personal touch (Hensley-Clancy 2020b).

Advertising, a traditional mainstay of modern US campaigning, enjoyed higher screen audiences than usual due to the pandemic. More people are at home watching television, listening to radio and podcasts, surfing the internet—and therefore receiving campaign advertisements. One estimate is that political advertising spending during the whole 2020 campaign cycle would approach USD 7 billion, a projected increase of 63 per cent over the comparable presidential election cycle in 2015–2016 (Mandese 2020). Digital campaign advertising has also seen massive growth in 2020, with a USD 1 billion spend included in the predictions for advertising spend overall.

9. Voter arrangements

With an unmoveable polling date, the experience of the primaries in some states, and the continued presence of COVID-19 in the community, it was clear for some months that US electoral administrators would need to find ways to accommodate voters in a COVID-safe manner. The clear priority was to find ways of moving the burden of voting away from single-day, in-person voting locations to either voting outside of a polling location or voting at polling locations over multiple days. Administrators were keen to find ways to space out voters, remembering that the multiple races to be contested on 3 November meant that US voters had up to 20 different decisions to make in the voting booth. In general, administrators seem to have met their aim of spacing out voters, with both early in-person voting and postal voting greatly increasing in 2020 (see Figure 1).

Figure 1: Levels of postal and early voting, recent US presidential elections



Source: US Elections Project, '2020 General Election Early Vote Statistics', <<https://electionproject.github.io/Early-Vote-2020G/index.html>>, accessed 11 November 2020.

In line with other countries, many states looked at expanding their offering of postal voting as an alternative channel. In the US context, postal voting encompasses voting methods known as 'vote-by-mail' and 'absentee', as well as those cast by military and overseas voters. Postal voting has been steadily (but not dramatically) growing as a voting channel in the USA for several years. As all states already offered some form of postal voting, scaling up this channel was an obvious choice in seeking to meet pandemic needs.

Five US states hold 'all-postal' elections, where all registered voters are sent a voting pack and there are no traditional in-person polling locations (though assistance options are provided for voters needing help in the completion of their voting pack). In 2020, four additional states and the District of Columbia sent voting packs to all registered voters, while also providing in-person polling locations. Other states have maintained their usual systems of application-based postal voting; some states require an 'excuse' to be provided to vote by post, and 10 states amended their rules so as to make COVID-19 and related issues an acceptable reason to vote by mail (NCSL 2020b).

There was a massive increase in postal voting rates in 2020 (see Table 1). In aggregate, more than 65 million Americans voted by post at the November election (US Elections Project n.d.), an estimated 41.2 per cent of all voters and more than double the rate at the 2016 election.

Table 1: Postal voting at recent US presidential elections

	Postal voters	Total voters	% of voters who voted by post
2012	20,517,087	130,292,355	15.75
2016	24,218,607	138,846,571	17.44
2020	65,487,735	158,831,694	41.23

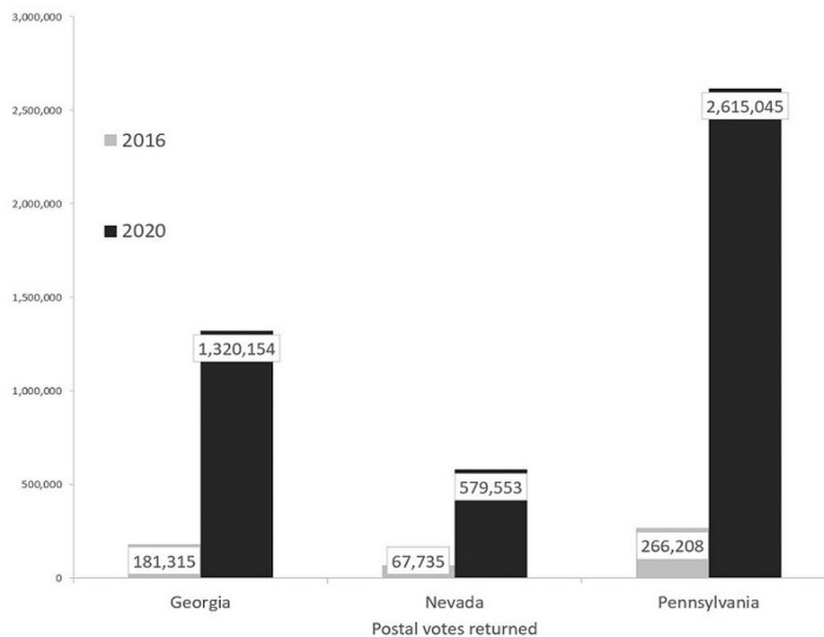
Source: Data from US Election Project (www.electproject.org) and the EAC's Electoral Administration and Voting Surveys 2012 and 2016 (US Electoral Assistance Commission 2013; US Electoral Assistance Commission 2017).

The expansion of postal voting opportunities has not been without its problems, as can be expected with such a large increase in numbers. Problems have been experienced by electoral administrators with the issue of postal voting packs (see Villeneuve and Matthews 2020). Postal votes also require a significant amount of processing upon return before the ballot papers contained within can be counted.

Depending on the state, electoral administrators may have to check that declarations are completed correctly, look at post marks on return envelopes, ensure ballot papers are contained in secrecy envelopes, and match signatures and other identifiers on postal vote declarations with those held on file at electoral offices. This a complex task that caught some administrators out during the primary elections (McKinley 2020) and needed careful management for the general election. In some states, electoral officials had asked for political agreement to allow for pre-processing of at least the declarations before 3 November (Chen and Marley 2020), but it was not always possible to reach a bipartisan consensus on the matter in time.

The task facing electoral officials in certain key states should not be underestimated. Three states that came under heavy scrutiny when their results proved to be 'close' were also experiencing up to a ten-fold increase in the number of postal votes that needed to be processed (see Figure 2). Postal vote processing is a skilled job, which in the USA has several steps and requires the use of various IT applications. Electoral administrators had to increase staff and train vast numbers of people to handle the work volume generated.

Figure 2: Postal votes returned, selected states



Source: Data from US Election Project (www.electproject.org) and the EAC's Electoral Administration and Voting Survey 2016 (US Electoral Assistance Commission 2017).

Over the course of 2020, there was repeated commentary—and in some areas, concern—about the ability and willingness of the US Postal Service (USPS) to handle the large increase in postal votes in a timely fashion. The USPS itself issued warnings that it would not be able to meet postal voting deadlines proposed in many states (*Washington Post* 2020a). The situation became further inflamed following the appointment of a new Postmaster-General seen as a strong ally of incumbent President Trump. Discussions on funding and operational policies at the USPS became entangled in both President Trump's personal campaign against postal voting and wider discussions of government funding in the US Congress (Cochrane and Fuchs 2020). This issue was not satisfactorily resolved before November, and the performance of the USPS was heavily tracked and discussed during the electoral period (see USPS 2020) as well as becoming, predictably, the subject of litigation (*New York Times* 2020e).

In the immediate days after 3 November additional scrutiny was placed on the USPS's performance as states waited for returned postal votes to finalize their state electoral result. While some immediate statistical data drew widespread attention, details from the USPS itself suggest (*Washington Post* 2020b) the true picture will only emerge when electoral officials release full data of postal ballots received after the relevant state deadline and excluded from counting.

The expansion of postal voting has had two major impacts on the wider electoral process. The first is the repeated assertions (*New York Times* 2020d) by President Trump and some of his supporters that postal voting is inherently 'bad' and subject to massive manipulation, assertions made with no evidence and at the same time as his own Republican Party expended considerable effort in encouraging voters to vote by post (*New York Times* 2020c). However, the prominence given to Mr Trump's comments may have caused some planned postal voters to switch their voting channel where possible. The numerical impact of this and

any impact on COVID-19 infections will need to be revealed by post-election analysis, especially in those states where officials can compare the number of proactive postal vote applications processed, with the number of postal votes actually returned.

The second impact is that the administrative requirements of postal voting meant that not all ballot papers would be available for counting on 3 November itself. The calendar of when electoral administrators can open and undertake the preliminary processing of returned postal voting packs varies greatly across the states. In some, processing can only start close to 3 November, while others have been able to process them as they return (well visualized graphically in Corasaniti and Lu 2020). Efforts to expand the processing period were, again, the subject of highly politicized debate (Kroll 2020). A state that proved to be of great import to the outcome of the presidential election, Pennsylvania, was able begin processing the return postal votes only from 3 November itself, and with 2.5 million returned before that day, that would obviously take some time. Other states such as Florida were confident of having nearly all returned postal votes ready to count when the in-person polls closed, as indeed was the case, with Florida's postal vote tallies being announced on 3 November. This patchwork of arrangements opened the way for commentary and concern to arise about the inclusion of so-called 'late votes' when in fact these are votes that were completed and returned by voters in accordance with state rules—such comments have been a feature of Mr Trump's tweets.

With the rise in postal voting over recent years, electoral administrators developed a secondary return method for completed postal voting packs, namely ballot drop boxes. These boxes originally provided a free-of-charge delivery method for voters in states where the voter must pay the return postage on a postal vote, which is the case in 33 states (NCSL 2020e). As the offer of postal voting was expanded to meet COVID-safe demand in 2020, so too were drop box locations. Some areas have also offered 'drive through' drop-off services, where voters can hand their completed postal voting pack to an official in a COVID-safe fashion.

There has been more discussion of drop boxes in 2020 than another alternative method, which is to use an agent (or similar) to return the completed postal vote on behalf of the voter. The agent could return the completed postal vote by either posting it, putting it in a drop box, or returning it to an electoral office. While usage of agents is a settled part of postal voting provision, usually designed for home-bound voters who cannot physically access a post box or drop box themselves, it can lead to accusations of 'vote farming', particularly if it occurs in institutions such as care homes for older people. Accordingly, such return methods are regulated in state law (NCSL 2020d). No data is currently available on the use of this return channel in 2020.

As with many other elements of the 2020 electoral arrangements, postal voting has featured heavily in electoral litigation. Challenges have been made to state efforts to expand postal voting eligibility, ease administrative verification requirements and allow for earlier processing of returned postal votes and the expansion of drop box numbers and locations (for an example in Texas, see McCullough 2020). In the Stanford-MIT COVID-Related Election Litigation Tracker, 249 cases relate to postal voting (Stanford-MIT n.d.b). Other challenges are to clearly established deadlines and processes contained in state law. Whatever the merits and motivations of such litigation, it can increase the administrative burden on electoral officials while also raising voters' doubts about the wisdom of using their postal voting pack, possibly sending some voters back to in-person voting facilities, undermining the COVID-safe message.

Similar challenges have been raised to efforts to increase the availability of in-person voting prior to 3 November through in-person early voting. All but six states (NCSL 2020g) offer some amount of in-person early voting, and in 2020 this has been another obvious means of spreading attendance at a polling location over a number of days to decrease crowds and queueing. Early voting has proved popular (see Table 2), with almost 36 million voters

having used it (US Elections Project n.d.), albeit the number of days provided for early voting varies widely from state to state.

Table 2: Early in-person voting at recent US presidential elections

	Early in-person voters	Total voters	% of voters who voted early
2012	11,794,312	130,292,355	9.05
2016	23,024,146	138,846,571	16.58
2020	35,935,583	158,831,694	22.62

Source: Data from US Election Project <<http://www.electproject.org>>.

The increase in early voting was not as marked as that of postal voting, which makes sense during a pandemic when many voters wish to minimize social contact. Most states took what had become standard approaches to making early voting COVID-safe with use of PPE, additional sanitizing (especially of voting equipment), requiring or encouraging mask wearing, use of voters' own pens and so forth (on e.g. approaches in Illinois and California, see Kane County Connects 2020; San Francisco Department of Elections n.d.).

States have also innovated in their provision of early voting—one popular initiative has been to use sporting arenas, which are not in normal use due to pandemic restrictions, as early voting locations. Such venues have much to recommend them—they are well known, are large in space to allow social distancing, and have car parking and public transportation facilities (Parks 2020). The novelty value of the location may also be attractive to less-regular voters.

Electoral administrators have also expanded days and times of early voting—such as the well-publicized 24-hour early voting centres in Houston, Texas (Hensley-Clancy 2020a). Such efforts marry the traditional aims of early in-person voting—giving alternative times and places for those who cannot get to a traditional polling location—with the pandemic-mandated need to space voters out. While there are many positive reports of early voting centres, some electoral administrators experienced problems in managing the volume of early voters (Jacobs 2020), though this may have been due to existing capacity and resourcing issues. The provision of extra and sufficient early voting facilities has not been seamless, as some states remained constrained in the number and amount of early voting that could be offered. Many states do not allow early voting on weekend days, for example (NCSL 2020g), and the Healthy Elections litigation tracker cites 14 COVID-related court challenges about the provision of early voting (Stanford-MIT n.d.b).

Post-election analysis will also reveal whether some in-person early voters were motivated to choose that voting channel over postal voting due to political commentary around fraud, and also whether early voters were 'extra' voters, or would have voted on 3 November but for the pandemic.

The issue of recruiting the legion of temporary staff required to run polling locations was of course common to both early in-person voting and polling on 3 November itself. These temporary staff are called 'poll workers' in the USA. At the 2018 general elections, two thirds of poll workers were over 60 years of age. In 2020, with age a known risk factor for COVID-19, electoral officials were concerned at the pandemic's potential impact on

recruitment, an already difficult task in most electoral jurisdictions (Election Assistance Commission 2019: 9–10).

To help meet the expected shortage, the Election Assistance Commission ran a National Poll Worker Recruitment Day, which used social media and provided generic information and guidance for gathering poll workers' application details. This campaign, along with state and local efforts, appeared to pay off, with many electoral offices reporting that they had filled their poll worker rosters (Perkins 2020; Stathas 2020). With the voting period occurring during the rise in COVID cases nationwide, it was inevitable that some prospective poll workers may have had to drop out due to COVID diagnoses or exposure. There have been limited reports of poll workers being exposed during polling (Cole 2020), or of polling locations needing to close due to COVID exposure (Powers 2020).

While the presence of voters with confirmed COVID-19 infection in polling locations was clearly undesirable, there was little effort to prohibit this outright. Electoral officials encouraged those testing positive to vote by post but it was inevitable that some would visit an in-person location. There do not seem to have been widespread efforts to provide infected persons with a specific location to vote, but it did happen (Scholl 2020).

In addition to fresh poll workers, in many cases electoral officials needed to find new or additional polling locations (*New York Times* 2020b). Many locations either were unsuitable as they were in, or close to, 'COVID-sensitive' sites such as care facilities for older people, or were too small to allow for physical distancing. Despite localized problems, electoral officials were able to harness broader community efforts to find suitable locations. In some warmer states, polling was conducted outside to minimize infection risk (Fuller 2020). Most states requested voters to wear masks inside the polling location, which prompted the inevitable legal challenges (Izaguirre 2020) and some isolated voting day confrontations (Goodman 2020).

In general, polling on 3 November proceeded well, with limited reports of problems (Gardner, Viebeck and Ye Hee Lee 2020), and none that would be considered of an abnormal scale for such a large election. With 100 million votes already cast early or by post, some pressure was removed from 3 November polling. There were isolated COVID-related problems—such as the case of hand sanitizer transferring onto paper ballots which then jammed a ballot scanner (Kornfield 2020)—but for an election putting in place new mitigation measures it appeared the months of planning and debate had paid off in a smooth final day of voting.

While it takes some time to finalize a complete turnout figure for US elections, early indications are that turnout in 2020 was the highest since at least 1960 (see Table 3).

Table 3: Voter turnout at recent presidential elections

Table 3: Voter turnout at recent presidential elections			
	Vote	Voting age population (VAP)	% of VAP
2012	130,292,355	240,957,993	54
2016	138,846,571	250,055,734	56
2020	158,831,694	257,605,088	62

Source: Data from US Election Project <<http://www.electproject.org>>

This increase fits with a trend noted by International IDEA whereby elections held later in the pandemic have shown increases in voter turnout, often as a result of the provision of alternative voting channels or Special Voting Arrangements (International IDEA 2020b). Extensive research can be expected on the drivers of US turnout in 2020, which can test this thesis.

10. A politicized response to voting during COVID-19

One clear feature of the 2020 election was the politicization of every element of the electoral administration response to the pandemic, at the national and public level. While there was consensus on the need to hold the election in November, there was no coming together on issues of resourcing or community messaging from the two major political parties. The continued commentary from prominent Republicans about the security of postal voting (PBS 2020) may have harmed efforts to encourage voting by post for those concerned about exposure to COVID-19 at in-person voting locations. There have been court challenges to the mandatory use of basic protective equipment in polling locations in several states, echoing the politicized response to the virus across the USA (Fortin 2020).

Preliminary findings from the largest international observation of the elections, by the Organization for Security and Co-operation in Europe (OSCE), were disturbing in this regard. The OSCE found a clear trend of partisan electoral decision-making, both by state officials and, strikingly, by the judiciary:

While jurisprudential differences and judicial philosophies are inevitable when examining complex issues of federal and constitutional law, it appears that in some split decisions and emergency orders, issued by the US Supreme Court and courts of appeals, the judges often voted on election-related matters along traditional partisan principles. (OSCE 2020: 18)

The findings of the OSCE mission demonstrate again that the electoral apparatus in the United States is structured to be open to partisan direction and influence, and that in the response to the health emergency caused by COVID-19, partisan needs were prioritized.

11. Lessons learned

As this case study is being written, vote processing and counting continues, legal cases remain to be heard, and the election is yet to be fully certified. While this work continues, and important post-election reviews are yet to take place, some lessons are already clear.

The increase in the take-up of early voting and postal voting will have a long-term effect on US elections. While it is hoped that the pandemic can be contained before the next federal elections in 2022, voters who found one of these voting channels to be more convenient are likely to wish to use it again. This will require considerable investment in electoral administration, but also has a clear effect on how political parties organize and deliver their campaigns.

As the fragmented nature of the 2020 elections demonstrated, it is difficult to craft a consistent US-wide response to exogenous shocks to the electoral process. Over the last

months, more Americans have realized that the methods with which they vote, and the safeguards in place to guard that vote, are the subject of sometimes arbitrary, sometimes conflicting partisan decision-making. While administering elections will surely remain a state-level responsibility, some consideration should be given to uniform, rules-based federal standards for access to early and postal voting, ensuring more equality in the treatment of votes for federal office (see Table 4). Some debate on these issues is already beginning (Hawley 2020).

If there is no federal action, then states should swiftly examine the ‘emergency’ arrangements put in place for 2020 to inform decisions on their future electoral arrangements. It is possible that with more time for debate than circumstances afforded in 2020, more political consensus could be reached on the services to offer. At the very least, states should craft legislative solutions that allow for ‘emergency’ responses to external shocks without repeated recourse to litigation.

A related issue to examine is the funding mechanism for federal elections. This has been the subject of debate for many years, and it is possible that the required reporting from the Election Assistance Commission on the use of federal CARES Act funds for the 2020 electoral cycle will provide a timely snapshot of whether the current funding model is fit for purpose, and able to flex when necessary.

Some lessons appear to have already been learnt within the 2020 electoral cycle itself, with the media reporting more accurately on election night (and the days following) about the projected nature of their data, the progress of actual counts and the impact of postal voting processing on electoral result timing. If electoral arrangements are to continue to evolve, such cooperative behaviour will be useful.

Finally, while electoral administrators are no strangers to strong partisan feelings, 2020’s was an electoral cycle that broke with long-established US political norms. The willingness of partisan participants to spread disinformation on the basics of the electoral process, to allege large-scale manipulation before any votes had been cast and to continually misinform the public on the lawful nature of electoral officials’ actions will have long-term repercussions. That this all occurred while electoral officials were struggling to deliver safe elections in the midst of a pandemic will have long-term impacts on the willingness of citizens to participate in elections. Trust in elections and electoral processes is a vital element of a functioning democracy; it takes time to build, but is quick to be lost.

Table 4: Changed voting arrangements for the 2020 presidential general election

State	Area of change			
	Voter registration	Postal voting arrangements	Early voting arrangements	Polling day
Alabama		Switch to no excuse		
Alaska		No witness required		
Arizona	Extended			
Arkansas		Additional COVID excuse		
California		Postal vote application sent to all voters		Consolidation of locations
Colorado				
Connecticut		Postal vote application sent to all voters; switch to no excuse		
Delaware		Postal vote application sent to all voters; switch to no excuse		
Florida	Extended			
Georgia				
Hawaii				
Idaho				
Illinois		Postal vote application sent to all voters		
Indiana				
Iowa		Postal vote application sent to all voters		
Kansas				
Kentucky		Additional COVID excuse	Extended	Changed ID requirements
Louisiana		Additional COVID excuse		
Maine	Extended			
Maryland		Postal vote application sent to all voters		
Massachusetts		Switch to no excuse		
Michigan		Postal vote application sent to all voters		
Minnesota		Return deadline extended; no witness required		

Mississippi		Return deadline extended; additional COVID excuses		
Missouri		Switch to no excuse; exemption from notary for COVID cases		
Montana		Authorize send postal votes to all		
Nebraska		Postal vote application sent to all voters		
Nevada		All sent postal votes		
New Hampshire		Additional COVID excuses		
New Jersey		All sent postal votes; return deadline extended		
New Mexico		Authorized to send postal vote application to all voters		
New York		Additional COVID excuses; online applications; additional curing; drop boxes allowed		
North Carolina		Changed witness requirement; return deadline extended		Yes
North Dakota				
Ohio		Postal vote application accepted by fax or email		
Oklahoma		Additional COVID excuses; changed ID requirement		
Oregon				
Pennsylvania		Return postage paid; return deadline extended; drop boxes allowed		
Rhode Island		Postal vote application sent to all voters; changed witness requirement		
South Carolina		Switch to no excuse; return postage paid	Extended	
South Dakota				
Tennessee		Additional COVID excuses; first time voters allowed		
Texas		Drop boxes allowed; additional curing	Extended	
Utah			Required	Required
Vermont		All sent postal votes		

Virginia	Extended	Changed witness requirement; drop boxes allowed		
Washington				
Washington, D.C.		All sent postal votes		
West Virginia		Additional COVID excuses; online application		
Wisconsin		Postal vote application sent to all voters		
Wyoming				

Source: Adapted from ballotpedia.org (Changes to election dates, procedures, and administration in response to the coronavirus (COVID-19) pandemic, 2020).

References

- Asplund, E., James, T. and Clark, A., 'Electoral officials need more money to run elections during COVID-19', Democratic Audit, 14 July 2020, <<https://www.democraticaudit.com/2020/07/14/electoral-officials-need-more-money-to-run-elections-during-covid-19/?fbclid=IwAR25KX7o06eGikhUOsKhWcTvHJLaIrJvpBMf5Q6xtKhpD1wk-TbdT6nblN8>>, accessed 11 November 2020
- Ballotpedia, 'Presidential candidates, 2020', [n.d.], <https://ballotpedia.org/Presidential_candidates,_2020>, accessed 11 November 2020
- Bernheim, B. D. et al., 'The Effects of Large Group Meetings on the Spread of COVID-19: the Case of Trump Rallies', Stanford Institute for Economic Policy Research (SIEPR) Working Paper 20-043, 30 October 2020, <https://sebotero.github.io/papers/COVIDrallies_10_30_2000.pdf>, accessed 11 November 2020
- Biryukov, N., 'Voter registration declines won't accelerate online system', *New Jersey Globe*, 6 May 2020, <<https://newjerseyglobe.com/governor/voter-registration-declines-wont-accelerate-online-system/>>, accessed 11 November 2020
- Brennan Center for Justice, 'Voter Suppression', [n.d.], <<https://www.brennancenter.org/issues/ensure-every-american-can-vote/vote-suppression>>, accessed 11 November 2020
- CDC (Centers for Disease Control and Prevention), CDC Covid Data Tracker, [n.d.a], <https://covid.cdc.gov/covid-data-tracker/#cases_casesper100klast7days>, accessed 11 November 2020
- , 'Community Organizations and Gatherings', [n.d.b], <<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/index.html>>, accessed 11 November 2020

- Center for Election Innovation and Research, *New Voter Registrations in 2020*, [n.d.], <<https://electioninnovation.org/new-voter-registrations-in-2020/>>, accessed 11 November 2020
- Center for Public Integrity, ‘Dollars from wealthy donors including Schwarzenegger, add muscle to voting access’, 26 October 2020, <<https://publicintegrity.org/politics/elections/ballotboxbarriers/wealthy-donors-spend-big-to-expand-voting-access-arnold-schwarzenegger/>>, accessed 11 November 2020
- Chaney, J., ‘Pop-Culture Reunions are the Democrats’ Not-So-Secret Weapon’, *New York* magazine, 28 October 2020, <https://www.vulture.com/article/virtual-pop-culture-reunion-democrats-election-fundraising.html#_ga=2.83889945.1024784189.1603914666-740989121.1603914665>, accessed 11 November 2020
- Chen, D. and Marley, P., ‘Ballot clerks asked for help. Lawmakers didn’t act. Disinformation followed’, *Milwaukee Journal Sentinel*, 9 November 2020, <<https://eu.jsonline.com/story/news/politics/elections/2020/11/09/clerks-asked-help-absentee-ballots-legislature-failed-election-trump-biden-wisconsin-voter-fraud/6195832002/>>, accessed 11 November 2020
- Cochrane, E. and Fuchs, H., ‘Trump makes clear his opposition to more money to support mail voting’, *New York Times*, 13 August 2020, <<https://www.nytimes.com/2020/08/13/us/politics/trump-postal-service-mail-voting.html>>, accessed 11 November 2020
- Cole, D., ‘Election workers risked their health during the pandemic. Now dozens are self-quarantining’, CNN, 7 November 2020, <<https://edition.cnn.com/2020/11/07/politics/election-coronavirus-cases-poll-workers/index.html>>, accessed 12 November 2020
- Corasaniti, N. and Lu, D., ‘How quickly will your absentee vote be counted? A state by state timeline’, *New York Times*, 13 October 2020, <<https://www.nytimes.com/interactive/2020/10/13/us/politics/when-votes-counted.html>>, accessed 11 November 2020
- Elfrink, T., Shammass, B. and Griffiths, B. D., ‘Hundreds of Trump supporters stuck in the cold for hours when buses can’t reach Omaha rally’, *Washington Post*, 28 October 2020, <<https://www.washingtonpost.com/nation/2020/10/28/trump-omaha-supporters-stuck-cold/>>, accessed 11 November 2020
- Federal Judicial Center, ‘Election Litigation: COVID-19 and Emergency Election Litigation’, [n.d.], <<https://www.fjc.gov/content/350168/covid-19-and-emergency-election-litigation>>, accessed 11 November 2020
- , ‘Unsuccessful Suit to Stop Private Funding of a Federal Election in Minneapolis’, *Case Studies in Emergency Election Litigation*, 31 October 2020, <<https://www.fjc.gov/sites/default/files/materials/10/EE-MN-0-20-cv-2049-MVA.pdf>>, accessed 11 November 2020
- Fortin, J., ‘Voters suing Minnesota over a mask mandate are asking the Supreme Court to intervene’, *New York Times*, 31 October 2020, <<https://www.nytimes.com/>>

- 2020/10/31/us/elections/voters-suing-minnesota-over-a-mask-mandate-are-asking-the-supreme-court-to-intervene.html>, accessed 12 November 2020
- Fuller, T., 'Californians try voting al fresco, with ballots handled like salad greens', *New York Times*, 3 November 2020, <<https://www.nytimes.com/live/2020/11/03/us/election-day/californians-try-voting-al-fresco-with-ballots-handled-like-salad-greens>>, accessed 12 November 2020
- Gardner, A., Viebeck, E. and Ye Hee Lee, M., 'Election Day voting sees some lines, scattered glitches and ample anxiety across the nation', *Washington Post*, 3 November 2020, <https://www.washingtonpost.com/politics/election-day-voting/2020/11/03/70daa0de-1dd5-11eb-90dd-abd0f7086a91_story.html>, accessed 12 November 2020
- Garrison, J., 'US voter registration plummets during coronavirus pandemic, challenging both parties', *USA Today*, 11 June 2020, <<https://eu.usatoday.com/story/news/politics/elections/2020/06/11/voter-registration-plummets-during-coronavirus-pandemic/5336320002/>>, accessed 11 November 2020
- Goodman, J. D., 'A tiff over masks prompts a call to the sheriff at a Texas polling place', *New York Times*, 3 November 2020, <<https://www.nytimes.com/live/2020/11/03/us/election-day/a-tiff-over-masks-prompts-a-call-to-the-sheriff-at-a-texas-polling-place>>, accessed 12 November 2020
- Hawley, Josh (U.S. Senator for Missouri website), 'Hawley Introduces Bill to Ban Ballot Harvesting, Protect Election Integrity', 10 November 2020, <<https://www.hawley.senate.gov/hawley-introduces-bill-ban-ballot-harvesting-protect-election-integrity>>, accessed 12 November 2020
- Hensley-Clancy, M., 'More than 9 million people voted early in Texas. For one day in its biggest county, they voted all night', *BuzzFeed News*, 31 October 2020a, <<https://www.buzzfeednews.com/article/mollyhensleyclancy/24-hours-texas-voting-2020-election?bfsourc=relatedmanual>>, accessed 11 November 2020
- , 'Phone-banking is Democrats' best hope for organizing in a pandemic. It's also helping volunteers feel less lonely', *BuzzFeed News*, 1 November 2020b, <<https://www.buzzfeednews.com/article/mollyhensleyclancy/phone-banking-democrats-coronavirus-isolation>>, accessed 11 November 2020
- Huseman, J., 'How voter-fraud hysteria and partisan bickering ate American election oversight', *Propublica*, 22 July 2020a, <<https://www.propublica.org/article/how-voter-fraud-hysteria-and-partisan-bickering-ate-american-election-oversight>>, accessed 11 November 2020
- International IDEA, *Global overview of COVID-19: Impact on elections*, 18 March 2020 (and updated), <<https://www.idea.int/news-media/multimedia-reports/global-overview-covid-19-impact-elections>>, accessed 11 November 2020
- , 'Going against the trend: elections with increased voter turnout during the COVID-19 pandemic', 30 September 2020b, <<https://www.idea.int/news-media/news/going-against-trend-elections-increased-voter-turnout-during-covid-19-pandemic>>, accessed 12 November 2020

- , Electoral Management Design Database, ‘Model of electoral management’, [n.d.], <<https://www.idea.int/data-tools/question-view/130365>>, accessed 16 November 2020
- Izaguirre, A., ‘Polling places are latest front in battle over face masks’, AP News, 2 November 2020, <<https://apnews.com/article/election-2020-virus-outbreak-voting-rights-elections-voting-d66f73655669210dedacffdb4ff567e>>, accessed 12 November 2020
- Jacobs, S., ‘Long lines, other issues plague early voting in New York City prompting calls of voter suppression’, *Washington Post*, 31 October 2020, <https://www.washingtonpost.com/national-security/early-voting-lines-new-york/2020/10/30/0e3a212c-1ad1-11eb-82db-60b15c874105_story.html>, accessed 11 November 2020
- Johns Hopkins’ Coronavirus Resource Center, ‘Daily confirmed new cases (7-day moving average)’, [n.d.] <<https://coronavirus.jhu.edu/data/new-cases>>, accessed 11 November 2020
- Kane County Connects, ‘Early voting under way—with PPE, safety measures—in Kane County’, 24 September 2020, <<https://kanecountyconnects.com/2020/09/early-voting-under-way-with-ppe-safety-measures-in-kane-county/>>, accessed 11 November 2020
- Kelly, C., ‘Secretaries of state ask for additional election support funding in light of coronavirus’, CNN, 31 July 2020, <<https://edition.cnn.com/2020/07/31/politics/secretaries-of-state-election-support-funding-coronavirus/index.html>>, accessed 11 November 2020
- Klinghard, D., ‘Pandemic alters political conventions—which have always changed with the times’, *The Conversation*, 17 August 2020, <<https://theconversation.com/pandemic-alters-political-conventions-which-have-always-changed-with-the-times-141663>>, accessed 11 November 2020
- Kornfield, M., ‘Some Des Moines voters used hand sanitizer before casting ballots, jamming a polling scanner’, *Washington Post*, 3 November 2020, <<https://www.washingtonpost.com/nation/2020/11/03/voting-hand-sanitizer/>>, accessed 12 November 2020
- Kroll, A., ‘One neat trick that could save America from vote-counting chaos’, *Rolling Stone* magazine, 6 October 2020, <<https://www.rollingstone.com/politics/politics-news/election-pennsylvania-vote-by-mail-chaos-trump-biden-1071329/>>, accessed 11 November 2020
- Lieberman, J. K., ‘The Litigious Society’, *Michigan Law Review*, 80/4 (1982)
- Mandese, J., ‘U.S. Political ad spending to approach \$7 billion, represent 1.4% of all media ad revenues’, *MediaPost*, 12 February 2020, <<https://www.mediapost.com/publications/article/346935/us-political-ad-spending-to-approach-7-billion.html>>, accessed 11 November 2020
- McCullough, J., ‘Texas counties will be allowed only one drop-off location for mail-in ballots, state Supreme Court rules’, *Texas Tribune*, 27 October 2020, <<https://www.texastribune.org/2020/10/27/texas-voting-elections-mail-in-drop-off/>>, accessed 11 November 2020

McKinley, J., 'Why the botched N.Y.C. primary has become the November nightmare', *New York Times*, 17 August (updated), <<https://www.nytimes.com/2020/08/03/nyregion/nyc-mail-ballots-voting.html>>, accessed 11 November 2020

Montgomery, D. and Corasaniti, N., 'Texas' top court denies a G.O.P. push to throw out over 120,000 votes; a federal case is pending', *New York Times Live 2020 Elections coverage* (updated 8 November 2020), <<https://www.nytimes.com/live/2020/11/01/us/trump-biden-election#texas-top-court-denies-a-gop-push-to-throw-out-over-120000-votes-a-federal-case-is-pending>>, accessed 11 November 2020

Morello, C., 'State Department says now is a good time to get a passport', *Washington Post*, 4 September 2020, <https://www.washingtonpost.com/national-security/passport-processing-coronavirus-/2020/09/03/ae09084c-ee19-11ea-a21a-0fbbe90cfd8c_story.html>, accessed 11 November 2020

NCSL (National Conference of State Legislatures), 'Election Administration at State and Local Levels', 2 March 2020a, <<https://www.ncsl.org/research/elections-and-campaigns/election-administration-at-state-and-local-levels.aspx>>, accessed 11 November 2020

—, 'Absentee and Mail Voting Policies in Effect for the 2020 Election', 11 March 2020b, <<https://www.ncsl.org/research/elections-and-campaigns/absentee-and-mail-voting-policies-in-effect-for-the-2020-election.aspx>>, accessed 11 November 2020

—, 'Voter Identification Requirements | Voter ID Laws', 25 August 2020c, <<https://www.ncsl.org/research/elections-and-campaigns/voter-id.aspx>>, accessed 11 November 2020

—, 'VOPP: Table 10: Who Can Collect and Return an Absentee Ballot Other Than the Voter', 28 August 2020d, <<https://www.ncsl.org/research/elections-and-campaigns/vopp-table-10-who-can-collect-and-return-an-absentee-ballot-other-than-the-voter.aspx>>, accessed 11 November 2020

—, 'Voting Outside the Polling Place: Absentee, All-Mail and other Voting at Home Options', 24 September 2020e, <<https://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx>>, accessed 11 November 2020

—, 'Online Voter Registration', 22 October 2020f, <<https://www.ncsl.org/research/elections-and-campaigns/electronic-or-online-voter-registration.aspx>>, accessed 11 November 2020

—, 'State Laws Governing Early Voting', 22 October 2020g, <<https://www.ncsl.org/research/elections-and-campaigns/early-voting-in-state-elections.aspx>>, accessed 11 November 2020

New York Times, 'Trump defends "delay the election" tweet, even though he can't do it', 30 July 2020a, <<https://www.nytimes.com/2020/07/30/us/elections/biden-vs-trump.html>>, accessed 11 November 2020

—, 'In a year of voting by mail, a scramble to beef up in-person voting, too', 7 September 2020b, <<https://www.nytimes.com/2020/09/07/us/politics/vote-in-person-covid.html>>, accessed 12 November 2020

- , ‘Has the President Handicapped His Own Party’s Efforts on Absentee Voting?’, 22 September 2020c, <<https://www.nytimes.com/2020/09/22/us/politics/absentee-voting-trump.html>>, accessed 11 November 2020
- , ‘The Attack on Voting in the 2020 Elections’ (New York Times Magazine), 30 September 2020d, <<https://www.nytimes.com/2020/09/30/magazine/trump-voter-fraud.html>>, accessed 11 November 2020
- , ‘A judge ordered an immediate sweep of 12 postal districts to look for undelivered ballots’, 2 November 2020e, <<https://www.nytimes.com/2020/11/02/us/politics/a-judge-ordered-an-immediate-sweep-of-12-postal-districts-to-look-for-undelivered-ballots.html>>, accessed 11 November 2020
- NPR, ‘COVID-19 is easily the biggest issue of this election’, 2 November 2020, <<https://apps.npr.org/liveblogs/20201103-election/share/covid-by-far-top-of-111.html>>, accessed 11 November 2020
- Organization for Security and Co-operation in Europe (OSCE), International Electoral Observation Mission, Statement of Preliminary Findings and Conclusions, 4 November 2020, <<https://www.osce.org/files/f/documents/9/6/469437.pdf>>, accessed 12 November 2020
- Parks, M., ‘NBA Arenas are becoming voting centers. Will they draw the same crowds? NPR’, 30 October 2020, <<https://www.npr.org/2020/10/30/929470574/nba-arenas-are-becoming-voting-centers-will-they-draw-the-same-crowds>>, accessed 11 November 2020
- PBS News, ‘U.S. Attorney General Barr attacks voting by mail while in Arizona’, 10 September 2020, <<https://www.pbs.org/newshour/nation/u-s-attorney-general-barr-attacks-voting-by-mail-while-in-arizona>>, accessed 12 November 2020
- Perkins, L., ‘Despite Surge in Volunteers, Some Swing States Still Need Poll Workers’, NPR, 10 October 2020, <<https://www.npr.org/2020/10/10/921583854/despite-surge-in-volunteers-some-swing-states-still-need-poll-workers>>, accessed 12 November 2020
- Pew Research Center, ‘Perceptions of Trump and Biden’, 9 October 2020, <<https://www.pewresearch.org/politics/2020/10/09/perceptions-of-donald-trump-and-joe-biden/>>, accessed 11 November 2020
- Powers, S., ‘COVID-19 outbreak closes a Brevard County early-voting site’, Florida Politics, 31 October 2020, <<https://floridapolitics.com/archives/379182-covid-19-outbreak-closes-brevard-county-early-voting-site>>, accessed 12 November 2020
- Reuters, ‘Fact check: Crowd size at Trump and Biden events reflect campaign strategy, not support’, 30 October 2020, <<https://uk.reuters.com/article/uk-factcheck-crowd-biden-trump-support/fact-check-crowd-size-at-trump-and-biden-events-reflect-campaign-strategy-not-support-idUSKBN27F27Y>>, accessed 11 November 2020
- San Francisco Department of Elections, ‘Vote at the Voting Center—On or Before Election Day’, [n.d.], <<https://selections.sfgov.org/vote-voting-center>>, accessed 11 November 2020

- Scholl, J., 'Coronavirus: Ada to have polling place for COVID-positive voters on Election Day', *Idaho Statesman*, 7 October 2020, <<https://www.idahostatesman.com/news/coronavirus/article246279935.html>>, accessed 12 November 2020
- Sink, M., 'A couple goes from the D.M.V. to the ballot box, and heads home, all before 9 a.m.', *New York Times*, 3 November 2020, <<https://www.nytimes.com/live/2020/11/03/us/election-day/a-couple-goes-from-the-dmv-to-the-ballot-box-and-heads-home-all-before-9-am>>, accessed 11 November 2020
- Stanford-MIT, Healthy Elections Project, COVID-Related Election Litigation Tracker, 'Case List', [n.d.a], <<https://healthyelections-case-tracker.stanford.edu/cases/>>, accessed 11 November 2020
- , COVID-Related Election Litigation Tracker, 'Search Results', [n.d.b], <<https://healthyelections-case-tracker.stanford.edu/results/>>, accessed 11 November 2020
- Stathas, S., 'Wisconsin election officials go from famine to feast with a swell of volunteers', *Washington Post*, 20 October 2020, <https://www.washingtonpost.com/politics/wisconsin-election-officials-go-from-famine-to-feast-with-a-swell-of-poll-workers/2020/10/08/e5ea4398-08c2-11eb-a166-dc429b380d10_story.html>, accessed 12 November 2020
- United States Postal Service (USPS), 'USPS Postmaster General Louis DeJoy Confirms Additional Resources to Ensure Successful Delivery of Election Mail', USPS news, 1 October 2020, <<https://about.usps.com/newsroom/national-releases/2020/1001-usps-pmg-confirms-additional-resources-ensuring-successful-delivery-election-mail.htm>>, accessed 11 November 2020
- US Election Assistance Commission, '2012 Electoral Administration and Voting Survey: A Summary of Key Findings', September 2013, <https://www.eac.gov/sites/default/files/eac_assets/1/6/2012ElectionAdministrationandVoterSurvey.pdf>, accessed 13 November 2020
- , 'The Election Administration and Voting Survey 2016 Comprehensive Report: A Report to the 115th Congress', 17 June 2017, <https://www.eac.gov/sites/default/files/eac_assets/1/6/2016_EAVS_Comprehensive_Report.pdf>, accessed 11 November 2020
- , 'Electoral Administration and Voting Survey: 2018 Comprehensive Report: A Report to the 116th Congress', June 2019, <https://www.eac.gov/sites/default/files/eac_assets/1/6/2018_EAVS_Report.pdf>, accessed 11 November 2020
- , '2020 Cares Act Grants', [n.d.], <<https://www.eac.gov/payments-and-grants/2020-cares-act-grants>>, accessed 11 November 2020
- US Elections Project, '2020 General Election Early Vote Statistics', [n.d.], <<https://electproject.github.io/Early-Vote-2020G/index.html>>, accessed 11 November 2020
- Villeneuve, M., and Matthews, K., 'Error leaves thousands in NYC with flawed absentee ballots', AP News, 30 September 2020, <<https://apnews.com/article/new-york-city-new-york-elections-brooklyn-voting-2020-a5c00f433f4cf4dc6bb8dfebb8ffee5e>>, accessed 11 November 2020

Washington Post, 'Postal Service warns 46 states their voters could be disenfranchised by delayed mail-in ballots', 14 August 2020a, <https://www.washingtonpost.com/local/md-politics/usps-states-delayed-mail-in-ballots/2020/08/14/64bf3c3c-dcc7-11ea-8051-d5f887d73381_story.html>, accessed 11 November 2020

—, 'USPS processed 150,000 ballots after Election Day, jeopardizing thousands of votes', 5 November 2020b, <<https://www.washingtonpost.com/business/2020/11/05/usps-late-ballots-election/>>, accessed 11 November 2020

Wines, M., 'Covid-19 Changed How We Vote. It Could Also Change Who Votes', *New York Times*, 19 June 2020 (updated), <<https://www.nytimes.com/2020/06/14/us/voter-registration-coronavirus-2020-election.html>>, accessed 11 November 2020

Further reading

Detailed discussion of the structure and nature of US electoral administration can be found in:

Hasen, R. L., *Election Meltdown: Dirty Tricks, Distrust, and the Threat to American Democracy* (Yale University Press, 2020)

—, *The Voting Wars: From Florida 2000 to the Next Election Meltdown* (Grand Rapids, MI: Yale University Press, 2012)

James, T. S., *Elite Statecraft and Election Administration: Bending the Rules of the Game* (Basingstoke: Palgrave Macmillan, 2012)

For historical trends in electoral administration see:

Foley, E., *Ballot Battles: The History of Disputed Elections in the United States* (Oxford: Oxford University Press, 2016)

Kousser, J. M., *The Shaping of Southern Politics: Suffrage Restrictions and the Establishment of the One-Party South, 1880-1910* (New Haven: Yale University Press, 1974)

About the author

Kate Sullivan is an experienced electoral administrator who has followed US electoral issues since her first degree in US politics. She has worked at the Australian and British electoral commissions, at International IDEA and for the British Foreign Office. She has led UN electoral assistance teams in Libya, Myanmar, Papua New Guinea, Republic of Moldova, Sierra Leone and Yemen.

The contributors

Toby S. James is Professor of Politics and Public Policy at the University of East Anglia, UK.

Alistair Clark is Reader in Politics at the University of Newcastle, UK.

Erik Asplund is a Programme Officer in the Electoral Processes Programme, International IDEA.

About International IDEA

The International Institute for Democracy and Electoral Assistance (International IDEA) is an intergovernmental organization with the mission to advance democracy worldwide, as a universal human aspiration and enabler of sustainable development. We do this by supporting the building, strengthening and safeguarding of democratic political institutions and processes at all levels. Our vision is a world in which democratic processes, actors and institutions are inclusive and accountable and deliver sustainable development to all.

What do we do?

In our work we focus on three main impact areas: electoral processes; constitution-building processes; and political participation and representation. The themes of gender and inclusion, conflict sensitivity and sustainable development are mainstreamed across all our areas of work.

International IDEA provides analyses of global and regional democratic trends; produces comparative knowledge on democratic practices; offers technical assistance and capacity-building on reform to actors engaged in democratic processes; and convenes dialogue on issues relevant to the public debate on democracy and democracy building.

Where do we work?

Our headquarters are located in Stockholm, and we have regional and country offices in Africa, Asia and the Pacific, Europe, and Latin America and the Caribbean. International IDEA is a Permanent Observer to the United Nations and is accredited to European Union institutions.

<<https://www.idea.int>>