

- What is voter fraud?<sup>1</sup>
  - Manipulating the results of an election, rigging the votes, and electoral fraud all consist of voter fraud crimes. These are illegal and interfere with the process of legitimate elections.
    - Some attempt to increase the votes to favorite candidates and other attempts to decrease the votes to the possible elected officials they do not like.
    - When taking part in these illegal acts, the individual or group may use manual or electronic means.
  - Most voter fraud explained by the media or those feeling affected by it encounter other instances that cause problems. These usually include clerical errors, software issues, and data matching practices that are not beneficial to the process.
  - Different types of election fraud:<sup>2</sup>
    - Impersonation fraud at the polls:
      - Voting in the name of other legitimate voters and voters who have died, moved away, or lost their right to vote because they are felons, but remain registered.
    - False registration:
      - Voting under fraudulent voter registration that either uses a phony name and a real or fake address or claims residence in a particular jurisdiction where the registered voter does not actually live and is not entitled to vote.
    - Duplicate voting:
      - Registering in multiple locations and voting in the same election in more than one jurisdiction or state.
    - Fraudulent use of absentee ballots:
      - Requesting absentee ballots and voting without the knowledge of the actual voter; or obtaining the absentee ballot from a voter and either filling it in directly and forging the voter's signature or illegally telling the voter who to vote for.
    - Buying votes:
      - Paying voters to cast either an in-person or absentee ballot for a particular candidate.
    - Illegal "assistance" at the polls:
      - Forcing or intimidating voters to vote for particular candidates while supposedly providing them with "assistance".
    - Ineligible voting:
      - Illegal registration and voting by individuals who are not US citizens, are convicted felons, or are otherwise not eligible to vote.

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<sup>1</sup> What is voter fraud and how is it committed? - HG Legal Resources  
<https://www.hg.org/legal-articles/what-is-voter-fraud-and-how-is-it-committed-46791>

<sup>2</sup> Heritage Explains Voter Fraud - The Heritage Foundation  
<https://www.heritage.org/election-integrity/heritage-explains/voter-fraud>



- CT, DE, IL, IA, MD, MA, NM, WI, OH
  - In 25 states, voters will need to procure an application for an absentee ballot themselves.
  - In seven states, voters still need a reason beyond the virus to vote absentee. That means many voters in these states will need to vote in person at a polling place, barring any last-minute rule changes.
    - SC, IN, LA, MS, NY, TN, TX
  - Several new pieces of state legislation are also still pending and more changes could be forthcoming through executive action, litigation, or other mechanisms in a few states.
- How does mail balloting work?
  - In states that allow absentee mail balloting, the voter writes, calls, or goes online to request an absentee ballot from their local election authority. In some places, voters need an excuse for the absentee ballot.
  - In making their request, voters have to provide their name and address. After receipt of the request, local election authorities send a ballot to the voter at the home address and provide a security envelope for the ballot that keeps the vote choice private and another envelope into which the sealed ballot is placed. The voter signs the outside of the second envelope to certify he or she is a registered voter.
  - Upon receipt of the mailed ballot, local election authorities check the name of the voter to make sure the person is registered to vote and is casting a ballot from the address registered with the election authority. After certifying those facts, they remove the sealed ballot from the outside envelope containing the voter signature so that the voter's preferences remain confidential. On election Day, states count the mail ballots and add the results to the votes of those individuals who cast their ballots in person.
- During the presidential primaries, many states made it easier for people to vote by mail and saw higher turnout than states that made fewer changes.
  - Of the states that have held presidential primaries and caucuses this year, 31 saw an increase in turnout compared to 2016. Of those, 18 had sent either ballots or ballot applications to all voters ahead of the primaries.
  - Six states continued to require voters to have a reason other than the virus in order to vote absentee in the primaries. In those states, voter turnout stayed roughly the same as 2016.
- A major study of California, Utah, and Washington state conducted by Daniel Thompson, Jesse Yoder, Jennifer Wu, and Andrew Hall of Stanford University for elections between 1996 and 2018 concluded there was no partisan advantage to either party based on voting by mail.<sup>7</sup>

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<sup>7</sup> The Neutral Partisan Effects of Vote-by-mail - Stanford Institute for Economic Policy Research  
<https://siepr.stanford.edu/sites/default/files/publications/20-015.pdf>

- According to the Brennan Center for Justice at NYU, there is no evidence that mail balloting increases electoral fraud.
  - Several anti-fraud protections are built into the process designed to make it difficult to impersonate voters or steal ballots.
  - These provisions include requiring people requesting absentee ballots to be registered voters, mailing ballots to the official address listed on voter registration rolls, requiring voter signatures on the external envelope, and having election authorities make sure the ballot came from the address of an actual voter.
  - If a ballot appears questionable, some states use a signature matching technique to verify the signature of the voter.
- In states that have long held mail voting - such as Washington State, which has been mainly using mail balloting since 2005 - those running elections see no evidence of widespread fraud.
  - Kim Wyman, Washington's secretary of state, said that all methods of voting had the potential for fraud, but that her experience in Washington was that mail ballot fraud was low.
  - Here is how Washington's system works and the types of fraud officials have encountered:<sup>8</sup>
    - Registration
      - Washington State checks to make sure the person is not already registered elsewhere in the state and also verifies personal information, such as date of birth and Social Security number, to confirm it is a real person.
      - In 2007, a woman in Washington State successfully registered her dog to vote and received ballots in order to make a point about the system's risks. But in 2016, officials in King County, Washington said, another person tried to register a dog to vote. The registration was not fully approved because the information did not match records in state and federal databases.
    - Mailings
      - Julie Wise, the director of King County election, said that in her experience, when someone steals a ballot from the mail, it is usually in the hope of finding something else.
      - Ballots in Washington State are tied to specific individuals, with unique barcodes that record the path of the ballot. Voters can track to see when their ballots have been mailed, when the election office has received them back and whether they have been counted.

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<sup>8</sup> The Facts About Mail-In Voting and Voter Fraud - The New York Times  
<https://www.nytimes.com/article/mail-in-vote-fraud-ballot.html>

- A voter can monitor their ballot and call for a replacement, a process that would render invalid the original ballot that was sent.
- Fraudulent Signatures
  - Voters must sign the ballot return envelope. Workers at the election office are trained to examine signatures, checking to make sure the signature that comes in matches the one on file for the voter before sending the ballot along the line to be counted.
  - A voter with a problematic signature will be contacted by the election office, sometimes by phone, and asked to fill out an additional form to verify his or her identity.
  - Julie Wise, the director of King County elections, said her signature has been rejected on two occasions because it had changed over the years, and she was able to resolve the discrepancy.
- Cameras
  - Unlike states that depend on volunteers in polling places to manage ballots, Washington State uses professionals to distribute ballots and then collect, analyze and count them in a central location.
  - In the King County elections office, cameras keep an eye on everything, and the public can tune in to watch. Political parties and campaigns also monitor the process.
- Cases of fraud
  - After elections, Washington has partnered with other states in a joint data analysis that looked at whether any voter cast a ballot in multiple states or whether a ballot was cast in the name of someone who was dead at the time of the election.
  - After the 2016 election, that system flagged 74 questionable votes in Washington State: 59 people who may have voted in multiple states, 14 people who may have voted multiple times within the state, and one deceased voter. Those ballots were sent to county elections managers and prosecutors for further scrutiny.
  - King County had the most cases. Officials there said in some cases, they found data errors, and the votes were legitimate.
  - After scrutinizing cases, investigators in King County did not see any significant fraud in 2016, but they sent letters to 10 people who appeared to have voted twice.
- Current and former election administrators said it would be virtually impossible for a foreign country to produce and mail in phony absentee ballots without

detection, an issue Attorney General William Barr has raised as a serious possibility.<sup>9</sup>

- “We’ve been talking about how, in terms of foreign influence, there are a number of foreign countries that could easily make counterfeit ballots, put names on them, send them in, and it’d be very hard to sort out what’s happening.” Barr told the New York Times Magazine.
- Judd Choate, the elections chief in Colorado, where nearly all voters cast ballots by mail, said, “there is zero chance” it could happen in his state.
  - In Colorado, ballot envelopes feature tally marks that are unique to each voter. Voter signatures are matched to those on file. Bad actors would have to replicate those marks, create ballots and envelopes made of the same paper and with the same design as authentic ones, and accurately forge signatures.
- States use a variety of safeguards to confirm the validity of mail ballots. In about half the states, ballot envelopes bear a tracking barcode or tally mark that is unique to each voter.
  - About 15 states require signatures to be matched against voter registration and ballots are rejected if they are not sent in regulation envelopes that vary widely from state to state in format, size, and paper stock.
  - In states without these various safeguards, those trying to counterfeit ballots would have to know the names and addresses of registered voters and there would still be a surge in forged ballots duplicating ballots received from actual voters that would almost certainly raise red flags.
- Administrators have also noted that there is little chance that election officials would not detect a surge of duplicate ballots arriving from the same voter.
  - “There isn’t an election office in this country that doesn’t know how many ballots they’ve mailed out, how many they’ve gotten back in, and who they were said to. It is absolutely not the case that someone could create a multitude of ballots and in some way infuse them or inject them into the system without detection.” said Tammy Patrick, a former election official with Maricopa County, Arizona, and now a senior adviser to the bipartisan foundation Democracy Fund.

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<sup>9</sup> Election officials contradict Barr’s assertion that counterfeit mail ballots produced by a foreign country are a ‘real’ worry - The Washington Post  
[https://www.washingtonpost.com/politics/election-officials-contradict-barrs-assertion-that-counterfeit-mail-ballots-produced-by-a-foreign-country-are-a-real-worry/2020/06/02/5ac8d664-a43e-11ea-b619-3f9133bbb482\\_story.html](https://www.washingtonpost.com/politics/election-officials-contradict-barrs-assertion-that-counterfeit-mail-ballots-produced-by-a-foreign-country-are-a-real-worry/2020/06/02/5ac8d664-a43e-11ea-b619-3f9133bbb482_story.html)