

Combating Misinformation Through Electoral Reform

By Ryan Williamson and Matt Germer



Because slow reporting can create an opportunity for subversive misinformation to spread quickly, states should consider adopting the key strategies outlined in this study to improve efficiency and the timely reporting of results.

Introduction

In the past several years, various states across the country have experienced delays in reporting their election results. These delays have been especially scrutinized in slow-counting jurisdictions when the window of time between the polls closing and the release of sufficient ballot totals that would enable the media to call the race lags beyond what feels reasonable. As voters eagerly await results, this lag time also provides fertile ground for misinformation to proliferate.

Misinformation and conspiracy theories can be extremely damaging to democratic institutions, weakening the public's confidence in and attitudes toward political systems.¹ Unfortunately, correcting misinformation as it arises is often insufficient to stop its spread, as research has shown that corrections do not spread as fast or as far as original information does—even when released by the same source.²

This paper recommends changes to election practices that could help expedite vote tabulation to minimize the window of time in which misinformation is likely to spread. It also suggests ways that citizens and the media could interact differently with elections to further combat misinformation and improve the legitimacy of American elections.

The Issue with Slow Reporting

The slow reporting of election results can be politically damaging, opening up the vote-counting process to questions and causing misinformation to take root. Take Arizona's 2022 midterm elections, for example. Between competitive statewide elections, issues with printers, and the propagation of election denialism and other theories, conspiratorial posts from political influencers abounded—many of which focused on the slow vote counting and were filled with misinformation.³ For example, the CEO of Turning Point USA posted to his millions of followers on X, formerly known as Twitter, that voting machine malfunctions were a “traffic jam by design” and “Democrats running elections here knew this would happen.”⁴

MISINFORMATION

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However, Arizona’s slow counting of ballots was not intentional; it was the result of a stipulation in the state’s election law and a change in voter behavior that combined to create a unique challenge.⁵ As outlined in a report from the Maricopa County Recorder’s Office, an unprecedented number of Arizona voters—nearly one-fifth—chose to return their mail-in ballots in person on or just before Election Day, rather than by mail.⁶ To ensure the legitimacy of the votes, the ballots returned in this way required additional processing—barcode scanning, signature verification, extraction and inspection. For each ballot, each step of this process had to be documented, and the chain of custody tracked before votes could be tabulated. Additionally, Arizona law required administrators to wait until the polling location had officially closed and all voters had left before even beginning the process. So although the thorough processing and strict ballot handling rules were put in place to ensure a trustworthy election, they made it impossible to expeditiously tabulate and report election results in this case and had the opposite effect—instead allowing misinformation to flourish.⁷

This problem is not unique to Arizona. Pennsylvania’s 2020 presidential election also attracted significant attention for slow ballot processing. To address voting-related challenges during the COVID-19 pandemic, Pennsylvania expanded voters’ ability to cast mail-in ballots.⁸ Though this change was helpful to voters, it created a burden for election administrators because Pennsylvania did not allow mail-in ballots to be pre-processed (a common practice across the United States that gives election administrators the ability to verify that ballots are valid before Election Day).⁹ After receiving a record number of mail-in ballots, Pennsylvania experienced a massive processing backlog, impeding election officials’ ability to quickly tabulate and report vote totals.

Not only did this cause a delay in the reporting of results, but it also meant that non-mailed-in ballots (which were disproportionately cast by Republican voters in 2020) were largely counted before the mailed-in ballots (which were disproportionately cast by Democratic voters).¹⁰ As a result, voters went to sleep on election night with Donald Trump in the lead, only to wake up the next day and learn that Joe Biden had moved ahead in the vote count.¹¹ Biden would eventually be declared the winner in the state, which pushed him over the 270 electoral vote threshold needed to win.¹² This sequence of events, however, opened the door for a host of conspiracy theories.¹³

In yet another example, Alaska’s generous absentee ballot rules have created the perception of delayed result reporting in that state.¹⁴ If ballots are postmarked by Election Day and mailed from the United States, they can be received up to 10 days after the election and still be counted; if they are mailed from outside the United States, they can be received up to 15 days after the election.¹⁵ This is especially relevant in the context of the state’s transition to top-four voting, whereby four candidates face off in a ranked-choice, general election that uses an instant runoff to determine the winner.¹⁶ Because the instant runoff cannot be initiated until all ballots are in hand, Alaska’s final results could potentially take weeks to determine.¹⁷ Fortunately, if only one or two candidates are on the ballot, a winner could be projected without all ballots being in hand as long as the number of outstanding ballots does not exceed the existing vote margin. Similarly, in a landslide election that favors one candidate in a three- or four-person race, the ranked-choice algorithm likely would not need to be applied. But in any election that might require a second round of tabulation, administrators would have to wait up to 15 days for all absentee ballots to be received to call the race. This is important because some critics have described Alaska’s innovative voting reform as a scam designed to rig elections in favor of Democratic candidates, and such a potentially prolonged tabulation period would only provide additional ammunition for critics.¹⁸

Although these examples reflect three state-specific examples, this issue is relevant for every state in the nation. [Table 1](#) illustrates that all 50 states continued to count votes for



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days after the 2020 presidential election—long after the media had declared a winner.¹⁹ On average, states did not complete their canvass and certification of the election results until more than three weeks (21.4 days) after polls closed on November 3. A number of states completed this process about one week after the election, but these represent some of the least populous states. Other larger states needed approximately one month before their results were made official. Nonetheless, the Associated Press declared Donald Trump or Joe Biden the winner of 34 states and Washington D.C. on election night, with 26 of those calls coming immediately as polls closed in those states.

Table 1
Key Takeaways

Table 1: Number of Days Between the Media Calling a Race and State Certification, 2020 Presidential Election

State	Date AP Called the Race	Date State Certified Results	Difference Between Dates	State	Date AP Called the Race	Date State Certified Results	Difference Between Dates
Alabama	11/3/20	11/25/20	22	Montana	11/4/20	11/30/20	26
Alaska	*	11/25/20	N/A	Nebraska	11/3/20	11/30/20	27
Arizona	11/4/20	11/30/20	26	Nevada	11/7/20	11/24/20	17
Arkansas	11/3/20	11/18/20	15	New Hampshire	11/3/20	12/2/20	29
California	11/3/20	12/5/20	32	New Jersey	11/3/20	12/8/20	35
Colorado	11/3/20	11/30/20	27	New Mexico	11/3/20	11/24/20	21
Connecticut	11/3/20	12/3/20	30	New York	11/3/20	12/7/20	34
Delaware	11/3/20	11/5/20	2	North Carolina	*	11/24/20	N/A
District of Columbia	11/3/20	12/2/20	29	North Dakota	11/3/20	11/20/20	17
Florida	11/4/20	11/17/20	13	Ohio	11/4/20	11/24/20	20
Georgia	*	11/20/20	N/A	Oklahoma	11/3/20	11/10/20	7
Hawaii	11/4/20	**	N/A	Oregon	11/3/20	12/3/20	30
Idaho	11/3/20	11/18/20	15	Pennsylvania	11/7/20	11/23/20	16
Illinois	11/3/20	12/4/20	31	Rhode Island	11/3/20	**	N/A
Indiana	11/3/20	11/24/20	21	South Carolina	11/3/20	11/11/20	8
Iowa	11/4/20	11/30/20	26	South Dakota	11/3/20	11/10/20	7
Kansas	11/3/20	12/1/20	28	Tennessee	11/3/20	**	N/A
Kentucky	11/3/20	11/23/20	20	Texas	11/4/20	12/3/20	29
Louisiana	11/3/20	11/17/20	14	Utah	11/3/20	11/23/20	20
Maine	11/4/20	11/23/20	19	Vermont	11/3/20	11/10/20	7
Maryland	11/3/20	12/8/20	35	Virginia	11/3/20	11/16/20	13
Massachusetts	11/3/20	11/18/20	15	Washington	11/3/20	12/3/20	30
Michigan	11/4/20	11/23/20	19	West Virginia	11/3/20	12/3/20	30
Minnesota	11/4/20	11/24/20	20	Wisconsin	11/4/20	12/1/20	27
Mississippi	11/3/20	11/13/20	10	Wyoming	11/3/20	11/11/20	8
Missouri	11/3/20	12/8/20	35				

* Biden was declared the winner before these states were called by the Associated Press.
** These states did not specify a date by which results must be certified.

Patrick Maks, “Calling the 2020 presidential race state by state,” *Associated Press*, Nov. 8, 2020. <https://blog.ap.org/behind-the-news/calling-the-2020-presidential-race-state-by-state>; “Election results certification dates, 2020,” *Ballotpedia*, last accessed Sept. 5, 2023. https://ballotpedia.org/Election_results_certification_dates_2020.

To be clear, election administrators and the media have different priorities. Election administrators have to balance voter access, tabulation accuracy, cost and speed, whereas the media values fast reporting. These different priorities create a vacuum in media coverage after polls close on election night, and when that vacuum of information is combined with the instant virality of fabricated news on social media, the result is a powder keg of misinformation and conspiracy theories primed to explode. With these competing priorities in mind, we suggest several changes that could be made to election laws, media coverage and citizen behavior to expedite vote tabulation, maintain voter access, and reduce the spread of misinformation.

Expediting Results Without Sacrificing Access

Election administrators work to ensure that every vote is counted as quickly as possible after Election Day, but some states are notably slower than others in reporting their results, often because of legislative requirements or standard processes that must be followed. Because slow reporting can create an opportunity for subversive misinformation to spread quickly, states should consider adopting the following key strategies to improve efficiency and the timely reporting of results.

Allow for the Pre-Processing of Mail-in Ballots

The process states have for handling mail ballots is extremely regimented, consists of many steps and is conducted in teams that are under surveillance. While this practice is in place to ensure election security, it can also be extremely time consuming. Pre-processing practices vary somewhat by state, but all ballots must be verified for eligibility (like signing-in in person on Election Day), which sometimes also includes signature verification.²⁰ If eligibility cannot be determined or a signature is missing, 24 states must notify the voter and give them the opportunity to “cure” their ballot.²¹ Once a ballot is confirmed for eligibility, it must be physically removed from the envelope, which must be done manually if the jurisdiction does not have an extraction machine.²² The ballots themselves may also have to be replicated if they are too damaged to be tabulated upon arrival. When states do not allow these types of ballots to be pre-processed, administrators must hold them until Election Day.

The tabulation process could be sped up if states were able to verify eligibility before Election Day. States could also extract and feed ballots into the tabulator (but change the settings on the voting machines to withhold the results until after the election) to drastically expedite the reporting of results.²³ By maximizing the pre-processing of ballots with process changes like these, states could have a robust mail-in system without slowing down their reporting of results.

Expand Early and Mail-in Voting

States should also consider expanding options that allow voters to cast ballots ahead of time. During the COVID-19 pandemic, states were forced to offer alternative voting methods, like early and mail-in voting, and some states opted to make those changes permanent.²⁴ They have been popular changes for a variety of reasons, including increased convenience for voters and shorter lines for in-person, election-day voting.²⁵

When paired with streamlined ballot processing, these changes can be useful mechanisms for expediting vote tabulation, which can help minimize post-election misinformation. Florida, for example, receives roughly two-thirds of its ballots before Election Day, with half of those being by mail.²⁶ And yet, despite the variety of ballot types available to voters, the state is able to certify results more quickly than nearly all other states because they allow ballots to be pre-processed before Election Day and require all mail-in ballots to be received by Election Day.²⁷ In contrast, although Connecticut recently

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expanded voters' ability to cast absentee ballots, those ballots cannot be processed until 10:00 a.m. on Election Day, and many jurisdictions do not start the tabulation process for them until after the polls close, which can result in delays in reporting results.²⁸

Critics have argued that mail balloting is not secure or reliable enough and that expanding its use would potentially exacerbate conspiratorial allegations of "rigged" elections.²⁹ However, there is no evidence of mail balloting lacking security, and some political leaders who previously denounced the practice have begun advocating for its use.³⁰

Set a Deadline for the Submission of Early Votes

An important aspect of the successful expansion of early and mail-in voting in the name of expediting results reporting is to set a deadline for the submission of early votes. As seen in the Arizona example discussed earlier, "late early ballots" drastically gummed up the tabulation process for election administrators. Eliminating these scenarios by requiring ballots to be returned at the end of the early voting period would help speed up the reporting of election results.³¹ In many jurisdictions, the end of early voting is one to five days before Election Day, which allows individuals to vote early without negatively affecting the tabulation process.³² Once again, Florida provides the best example of how these policies can lead to faster results. By ending early in-person voting two days before Election Day, requiring mail-in ballots to be received by Election Day and securely tabulating early votes before polls close, Florida gained national attention in 2022 by quickly releasing and certifying its vote totals.³³

For voter convenience, states that already have early voting deadlines could consider adjusting deadlines to be closer to Election Day or even allow for the hand-return of mail-in ballots on Election Day, as long as processes were put in place to minimize their impact on the speed of tabulation. For example, voters could verify their identity upon submission to eliminate the need for signature verification, polling places could provide a way for voters to convert their early ballots into Election Day ballots, or steps could be taken for voters to have their early ballots scanned after checking in. This last option would allow voters to still make their choices early, have the same experience as an in-person, election-day voter and still handle only one ballot.

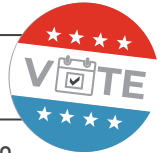
Increase Funding for Election Offices and Improve Election Efficiency

American elections are consistently poorly funded.³⁴ With increased election funding, states would be able to better address issues that impede efficient vote tabulation.

A greater investment in staff and equipment could solve some tabulation problems such as the "late early ballots" issues seen in the 2022 Arizona mid-term elections. One expert pointed out that allowing Arizona's early voters to feed their ballots into tabulators on Election Day would be impractical, as not every county in the state has tabulators on site.³⁵ Additionally, early ballots and Election Day ballots cannot be fed into the same tabulators. This obstacle could be overcome simply by purchasing additional tabulators. In this example, rather than continually changing rules and practices around voting in pursuit of process perfection, the problem of "late early ballots" could be solved simply by investing more in staff and equipment.

States should also look to spend the financial resources they have as efficiently as possible, and ranked-choice voting could help save state funds by eliminating the need to conduct separate runoff elections.³⁶ For example, 11 states hold runoff elections for statewide office weeks after the initial primary or general election.³⁷ Regardless of voter turnout (which is often low for runoffs), the cost of conducting a statewide election is the same.³⁸ Therefore, millions of dollars are spent on elections that would not need to happen if those states instead used ranked-choice ballots, which allow for instant runoffs.³⁹

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The processes are functionally equivalent, with the primary exception being that only one statewide election needs to be conducted.

States can also conserve financial resources by empowering redistricting commissions to draw district boundaries instead of allowing the state legislature to do so. Legal challenges to district maps—congressional, state legislative or otherwise—can cost a state millions in taxpayer dollars.⁴⁰ Though maps drawn by commissions are still subject to legal scrutiny and may be challenged in court, legislative-drawn plans are more likely to be the subject of salient and expensive legal battles.⁴¹

Non-procedural Methods of Combating Election-Related Misinformation

Changes to election laws and practices are important, but they are not a panacea for combating misinformation that arises from delays in reporting vote tabulations. Citizens and the media must change their behavior and work with election administrators to slow and stop the spread of misinformation. This section provides some specific examples of how that can be accomplished.

Greater Clarity and Judiciousness in Media Coverage

Media coverage of elections has not done any favors for election offices. Even though elections are not dynamic events, they are treated like sporting events with two teams going back and forth until a winner is declared. This “horse-race” style coverage not only mischaracterizes how elections work, but it also increases the anxiety and emotions around result reporting. As previously mentioned, in 2020, many states were called for Trump or Biden the minute polls closed simply because they were not competitive. The media then focused their attention on a handful of highly competitive jurisdictions despite the fact that every jurisdiction was still diligently working to count votes.

Experts have noted that there is essentially no value in covering elections in this way.⁴² Instead, coverage should focus on projections rather than presenting the results as definitive. There have already been some successful attempts at introducing greater clarity and nuance to election coverage, such as *The New York Times*’ “Needle.”⁴³ Efforts like these should be improved and expanded. Additionally, the media should invest more in covering the nuances of election administration to give viewers a better understanding of what is happening in election offices and how it impacts their projections. Highlighting when elections will actually be certified and the process states must take leading up to that point would help explain why some states seem “behind” others in their reporting.

Better News Consumption Habits from Citizens

Better news consumption habits, especially on social media, would also serve as a defense against misinformation. Americans can take numerous simple and effective steps in this regard.⁴⁴ First, individuals should never share a piece of information without first fact checking it themselves. They should also avoid content that is not properly sourced or referenced or that relies on unnamed sources. Even if the source is legitimate and the story ultimately proves to be true, it is better to wait for it to be corroborated by other trustworthy sources. Second, Americans should exercise caution when encountering stories that appear to have a partisan or emotional angle. This type of content is designed to elicit a quick, visceral reaction from readers, making them more likely to react to the information. Third, consumers should rely only on sources that have been verified as conducting honest reporting and, if possible, report sources that spread misinformation.

Method for Combating Misinformation



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Greater Patience from Citizens

Americans must recognize that different states handle elections differently and extend grace and patience to the officials who make those elections happen. More directly and simply, Americans should not expect to know election outcomes on election night. Instead of expecting an answer before bed, citizens should consider it a pleasant surprise if a winner in a competitive race is projected that Tuesday night. Elections are complex undertakings that often involve tedious and time-consuming tasks conducted over and over again. A trustworthy election is thorough, and that takes time.

Additionally, as demonstrated in [Table 1](#), no state certifies its results on election night, and even if a state is not politically competitive enough to attract headlines, the work of election administrators is not yet done. Therefore, growing impatient or frustrated because one state seems to be lagging behind others is both unproductive and misguided. Misinformation thrives on citizens' demand for explanations when something appears off-kilter. Possessing the patience and knowledge to recognize that slower reporting does not imply chicanery is an important safeguard against the spread of misinformation.

Civic Education Around Vote Tabulation

Many Americans are uninformed when it comes to government and politics, and much of what they do know is concentrated at the federal level.⁴⁵ One study revealed that one in four respondents did not know who ran elections in their state.⁴⁶

Combating misinformation becomes much easier when citizens are informed. One way election administrators and members of civil society organizations can combat potentially negative narratives born from slower vote tabulations is to conduct educational campaigns specifically aimed at informing the public of the typical timelines on which election offices operate, constraints that could slow down their work and the time-consuming, labor-intensive process of conducting an election.

One recent example of a successful civic education campaign is that of Alaska. As the state readied itself for its first ranked-choice election, groups organized events that gave voters the opportunity to participate in mock ranked-choice elections to familiarize themselves with the process.⁴⁷ As a result, Alaskans described the new system as simple and thought favorably of it.⁴⁸ Similar efforts can be made for informing citizens about vote tabulation and would represent an important safeguard against misinformation.

Conclusion

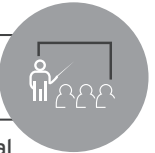
The suggestions presented in this paper are not exhaustive, but they represent some simple, easy-to-implement solutions that states can consider to reduce election-related misinformation. States should evaluate their election practices and processes with an eye toward eliminating inefficiencies that do not serve voters or administrators. Although it requires action from a variety of sources to change election laws, media practices and individuals' habits, it is both possible and well worth the effort.

Method for Combating Misinformation



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About the Authors

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