



Promoting Confidence in Elections

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Introduction

Just as in politics where “perception is reality,”¹ so also “confidence in the integrity of the electoral process ... encourages citizen participation in the democratic process.”² When policymakers enact reforms to reduce opportunities for fraud, simplify the process of voting, and increase transparency, the natural consequences improve voter turnout—with record voter participation in Georgia since the enactment of its 2021 reforms illustrating the link between securing elections and voter turnout. Conversely, efforts that complicate voting while undermining confidence, such as the complexities around ranked-choice voting, result in decreased voter participation.

Reforms to secure elections are necessary, as voter confidence is near record lows since the 2020 presidential election. The percentage of American voters expressing confidence in the administration of elections fell from 81 percent prior to the 2018 midterm elections to 62 percent prior to the 2020 presidential election, and slightly rebounded to 70 percent prior to the 2022 midterm elections.³ Anticipating problems for the 2024 cycle, an Associated Press-NORC poll found that “[o]nly 44 percent of the public has a great deal or quite a bit of confidence that votes in the 2024 presidential election will be counted accurately.”⁴

Reasons for a lack of confidence vary, but experts generally agree that voters tend to distrust the process when they believe that the process is unfair. While some voters may distrust the outcome of an election if their preferred candidate loses, voter distrust is exacerbated if the process is convoluted, opaque, or perceived as unfair.⁵ The 2020 presidential election process demonstrated some problems voters had with the system generally. In states like Georgia, North Carolina,

¹ Michael Gomez, *Perception is Reality*, Victoria Advocate, November 15, 2021, https://www.victoriaadvocate.com/blogs/reader/politics_plus/perception-is-reality/article_52f1b070-4657-11ec-a9ac-37b707d8595b.html.

² *Crawford v. Marion County Board of Elections*, 553 U.S. 181, ___ (2008).

³ *Two Years After Election Turmoil, GOP Voters Remain Skeptical on Elections, Vote Counts*, Pew Research Center, October 31, 2022, <https://www.pewresearch.org/politics/2022/10/31/views-of-election-administration-and-confidence-in-vote-counts/>.

⁴ *Partisan Views of the Electoral System*, Associated Press-NORC at the University of Chicago (AP-NORC), July 11, 2023, <https://apnorc.org/projects/partisan-views-of-the-electoral-system>.

⁵ E.g., David M. Mayer, *The Psychology of Fairness: Why Some Americans Don't Believe The Election Results*, The Conversation, December 21, 2020, <https://theconversation.com/the-psychology-of-fairness-why-some-americans-dont-believe-the-election-results-152305>, Commission on Federal Election Reform, Report, *Building Confidence in U.S. Elections* (Carter-Baker Report), p. 18, September 2005, <https://securevote.news/wp-content/uploads/2023/02/Carter-Baker-Report.pdf>, (“The electoral system cannot inspire public confidence if no safeguards exist to deter or detect fraud or to confirm the identity of voters”).

Michigan, and Pennsylvania, officials used the COVID-19 pandemic to institute changes without the input of state legislators or, in some cases, without clear authority to institute reforms.⁶

State legislators in Georgia, Florida, Texas, South Carolina, and Arizona tackled election security issues head on in the 2021 and 2022 legislative sessions.⁷ The reforms enhanced election security, making it easier for voters to participate while making it much more difficult to cheat. The reforms helped to restore confidence in the electoral process, which in turn, helped spur turnout. In Georgia, for example, the state broke turnout records after the Republican-led legislature enacted the Georgia Election Integrity Act of 2021, despite predictions that it would suppress turnout.⁸ The reforms faced significant pressure from the left.⁹ They complained that the reforms in Georgia discriminated against minorities by adding identification requirements for absentee voting, requiring voters to cast ballots in the proper precinct, banning mobile voting units, and limiting official hours for drop boxes and in-person absentee voting.¹⁰ However, record turnout proved the complaints wrong.

None of the attacks are new. Since the 2000 presidential election—when the importance of election integrity measures was highlighted—the left has decried photo identification laws, laws securing drop boxes, requiring voters to cast ballots in the precincts in which they live, efforts to restrict ballot collection by certain people, or any effort that may have the effect of reducing the convenience of voting as an attack on voter rights.¹¹ Nor have the arguments gained traction with

⁶ E.g. Quinn Scanlan, *Here's How States Have Changed The Rules Around Voting Amid the Coronavirus Pandemic*, ABC News, September 22, 2020, <https://abcnews.go.com/Politics/states-changed-rules-voting-amid-coronavirus-pandemic/story?id=72309089> (listing how judges ignored existing laws on topics like drop boxes and absentee ballots), Katie Pavlich, *Mark Levin Details How Democrats In Pennsylvania Changes The Rules On Election Fraud*, Townhall, December 7, 2020, <https://townhall.com/tipsheet/katiepavlich/2020/12/07/mark-levin-details-how-democrats-changed-the-rules-on-fraud-n2581151> (discussing how the Pennsylvania Supreme Court struck down some of Pennsylvania's election law, despite an express lack of severability), Paul Bedard, *Exclusive: Report Confirms 2020 Abuses And RNC Deploys 'Year-Round' Election Integrity Unit*, Washington Examiner, August 19, 2021, <https://www.washingtonexaminer.com/washington-secrets/exclusive-report-confirms-2020-cheating-rnc-deploys-year-round-election-integrity-unit> (reporting on RNC investigation about how Democrats used the COVID-19 pandemic to achieve their policy goals without the need for legislative action).

⁷ E.g. Alexa Corse and Jon Kamp, *States' New Voting Laws: What You Need To Know*, The Wall Street Journal, July 30, 2021, <https://www.wsj.com/articles/states-new-voting-laws-what-you-need-to-know-11619791761>, Jane C. Timm, *19 States Enacted Voting Restrictions In 2021. What's Next*, NBC News, December 21, 2021, <https://www.nbcnews.com/politics/elections/19-states-enacted-voting-restrictions-2021-rcna8342>, Masood Farivar, *How US Voting Laws Have Changed Since 2020*, Voice of America, November 3, 2022, <https://www.voanews.com/a/how-us-voting-laws-have-changed-since-2020/6819198.html>.

⁸ Amy Gardner and Matthew Brown, *Voting Is Surging In Georgia Despite Controversial New Election Law*, The Washington Post, May 21, 2022, <https://www.washingtonpost.com/politics/2022/05/21/voting-is-surging-georgia-despite-controversial-new-election-law/>.

⁹ Daniel Dale, *Fact Check: Biden and Kemp Misleadingly Describe Parts of Georgia Elections Law*, CNN, April 2, 2021, <https://www.cnn.com/2021/04/02/politics/fact-check-biden-kemp-georgia-election-law-water-drop-boxes-hours/index.html> (with the article's author misrepresenting some of Governor Kemp's representations about the law, including that "voters [can] bring their own food and water but that 'people can serve and hand out bottles of water and food as long as they're outside the 150-foot boundary of a polling location,'" and that Governor Kemp claimed that the state is not taking away drop boxes for absentee ballots).

¹⁰ Fredreka Schouten, *Here's Why Voting Rights Activists Say Georgia's New Election Law Targets Black Voters*, CNN, March 26, 2021, <https://www.cnn.com/2021/03/26/politics/georgia-voting-law-black-voters/index.html>.

¹¹ E.g., *Brnovich v. Democratic National Committee*, 594 U.S. ___, 141 S.Ct. 2321 (2021), Pippa Norris and Holly Ann Garnett, *Voter Suppression or Voter Fraud in the 2014 US Elections*, Harvard Kennedy School Faculty Research Working Paper Series No. 040 (July 2015), <https://ssrn.com/abstract=2698229>.

the Supreme Court. While the Supreme Court has long protected state prerogatives to safeguard election integrity, 2008 marked a turning point where the Court expressly rejected the left's arguments as inconsistent with the Constitution or statutory construction.¹²

While there have been many reforms that safeguard the integrity of elections proposed over the past few years, this paper will focus only on two of the most popular and important, requirements to present photo identification to vote and voter registration list maintenance. It will also address ranked-choice voting as a reform popular in left-leaning elite circles, demonstrating why processes that confuse voters without offering any additional election security reduce both voter confidence and participation.

Photo Identification

An easy way for policymakers to inspire confidence among voters is to adopt laws requiring voters to present photo identification prior to casting a ballot. Voter ID laws are not controversial, enjoying broad support from Democrats and Republicans along with majority and minority racial groups. This is especially true since the Supreme Court sustained Indiana's law in 2008. According to Ballotpedia, twenty-three states have voter ID laws, and another eleven states require voters to present some form of ID prior to voting.¹³

In late 2022, Gallup released a poll stating that 79 percent of Americans favor voter ID laws, including 53 percent of Democrats, 84 percent of independents, and 97 percent of Republicans. Minority support for voter ID was similarly high, at 77 percent.¹⁴ This is not a recent trend, either, with a 2015 study from the Massachusetts Institute of Technology (MIT) concluding that Republicans and Democrats do not have differing views on voter ID laws.¹⁵

While there is broad public support for voter ID across all types of voters, the same cannot be said for the leftist academic and political elite. They like to portray voter ID, and any other election integrity measures, as impinging on voter rights. Anything, therefore, that left-leaning academia and politicians perceive as obstacles to voting, regardless of whether the measures improve turnout, is something that suppresses voters. As noted in at least one paper, "in popular debates the term 'voter suppression' is commonly used by liberals to mean restrictions on voter rights."¹⁶

¹² *Crawford, Brnovich, Democratic National Committee v. Wisconsin State Legislature*, ___ U.S. ___, 141 S.Ct. 28 (2020) (Rejecting last minute changes to Wisconsin's elections process during the COVID-19 pandemic sought by the DNC).

¹³ *Voter Identification Laws By State*, Ballotpedia, https://ballotpedia.org/Voter_identification_laws_by_state, accessed August 1, 2023.

¹⁴ Nicole Willcoxon and Lydia Saad, *Eight In 10 Americans Favor Early Voting, Photo ID Laws*, Gallup, Oct. 14, 2022, <https://news.gallup.com/poll/403052/eight-americans-favor-early-voting-photo-laws.aspx>.

¹⁵ Paul Gronke, William Hicks, Seth C. McKee, Charles Stewart III, James Dunham, *Voter ID Laws: A View from the Public*, MIT Political Science Department Research Paper No. 2015-13, April 15, 2015, <https://ssrn.com/abstract=2594290>.

¹⁶ Norris and Garnett, *Voter Suppression or Voter Fraud*, above, p. 5. When referring to factors that can undermine "voter rights," the authors also cite to the muzzling of independent media, "ill-educated" citizens, campaigns spending "hidden cash," running out of paper ballots, and more. *Id.* See also Gronke, et al., *Voter ID Laws: A View From The Public*, p. 7 ("Republican respondents are much more likely to view voter ID as effective in preventing fraud, whereas Democrats are more likely to view the reform as a way to restrict ballot access").

Some of the divide between the public and liberal elite may be explained by how the two groups view the process of elections. Republicans and independents tend to focus on overall turnout, and while Republicans certainly hope their candidates win, they are more concerned with the act of voting, practices designed to secure the elections, and promoting voter turnout. The left, on the other hand, tends to focus on the results and whether those results are “equitable.”¹⁷

Despite the left’s insistence that voter ID suppresses votes, social studies reveal the exact opposite. “In contrast to the myth of voter suppression, the [PNAS] study found that both parties saw an *increase* in voter turnout after implementation of voter ID laws ... Not only is this a refutation of the Left’s claims ... but the increased voter turnout actually strengthens diverse voter representation in our country.”¹⁸ Voter turnout likely increases across demographics because voters perceive voter ID as decreasing fraud, as concluded by a 2018 study of voters in Virginia, where the authors found that “Our experimental findings appear to show that informing registered Virginia voters that the laws now require all individuals to show a valid photo identification decreased perceptions of fraud.”¹⁹ Similarly, the National Bureau of Economic Research (NBER) concluded that voter ID laws “obtain[] mostly null results. [T]he fears that strict ID requirements would disenfranchise disadvantaged populations have not materialized.”²⁰

Since 2004, photo identification laws for voters have increased voter confidence and turnout among both parties. They enjoy broad public support and are low-hanging fruit for policymakers in states without robust voter ID laws. Leftist academia and politicians will continue to attack them, while studies will continue to validate voter ID roles in decreasing perceptions of fraud and encouraging civic participation.

¹⁷ See, e.g., Jeffrey J. Harden and Alejandra Campos, *Who Benefits From Voter Identification Laws*, Proceedings of the National Academy of Sciences (PNAS), Vol. 120, No. 7 (Feb. 6, 2023), <https://www.pnas.org/doi/10.1073/pnas.2217323120>. Most research from the academic left is heavily biased against voter integrity measures including voter ID. For example, in *Voter Suppression or Voter Fraud*, the authors create a scaled system for analyzing the impact of voter integrity measures. The liberal bias is evidence, as it positively rates the fairness of electoral laws to minority parties, whether candidates have “equitable access to public subsidies,” shorter “wait times,” and the eponymous “impartial in the administration of elections,” while among the negative ranking factors were “winner-take-all single-member plurality election systems” and the “laissez-faire deregulation of campaign spending.” As a result, the authors deemed Connecticut as the best performing state while Ohio and Wisconsin were rated among the worst. See, e.g., Norris and Garnett, *Voter Suppression or Voter Fraud* at pp. 8, 10, 15. Similarly, the authors of *Voter ID Laws: A View From the Public*, above, create a scale to rank responses to their survey “in light of partisanship.” The scale includes perceived bias toward women, younger voters, “racial resentment,” and against conservative voters. The authors go so far as to make the argument that the Republican Party is “heterogeneous” while the Democratic Party has greater diversity “resembl[ing] the political reality of the party.”

¹⁸ Hans A. von Spakovsky and Joseph Sturdy, *Another Study Refutes Left’s False Claims Against Voter ID and Secure Elections*, The Heritage Foundation, Feb. 15, 2023, <https://www.heritage.org/election-integrity/commentary/another-study-refutes-lefts-false-claims-against-voter-id-and-secure>, citing Harden and Campos, *Who Benefits From Voter Identification Laws*, above.

¹⁹ Kyle Endres and Costas Panagopoulos, *Information and Identification: A Field Experiment on Virginia’s Photo Identification Requirements*, July 2018, <https://esra.wisc.edu/wp-content/uploads/sites/1556/2020/11/endres.pdf>.

²⁰ Enrico Cantoni and Vincent Pons, *Strict Voter ID Laws Don’t Stop Voters: Evidence From A U.S. Nationwide Panel, 2008-2018*, p. 25, National Bureau of Economic Research Working Paper 25522, February 2019, https://www.nber.org/system/files/working_papers/w25522/w25522.pdf.

List Maintenance

Properly maintaining accurate voter registration rolls “is a bipartisan concern.”²¹ Without accurate and up to date rolls, voters who have moved, passed away, or are otherwise ineligible remain as active voters.²² And that is on top of any concerns regarding duplicate registrations.²³ As the potential for fraud increases, voter confidence decreases. It stands to reason, then, that voters will have greater confidence in the electoral process when they know that ineligible voters are removed from the rolls or otherwise flagged for further review.

According to a 2020 report, a survey of voter registration rolls revealed 349,773 deceased registrants across 41 states, 43,760 duplicate registrants who cast second votes from the same addresses in 2016, 37,889 duplicate registrants who cast second votes from the same address in 2018, 8,360 voters registered and voting in two different states, and more.²⁴ While voters casting ballots twice in any state should not occur, some states are more susceptible than others. Georgia and North Carolina led the way in 2016 and 2018 with over 36,000 same address duplicate registrations credited with double voting, while states like Oklahoma, Oregon, and West Virginia had only 6 for the same period combined.²⁵

Similarly, while dated, a 2012 report described approximately 24 million voter registrations that were “no longer valid or significantly inaccurate,” over 1.8 million deceased individuals listed as active voters, and about 2.75 million duplicate registrations.²⁶ The report included as invalid registrations anyone who died, moved, or was inactive between 2004 and 2011. The 24 million records used in the report represented “nearly 13 percent of the national total” of registration records.²⁷ The inaccuracies represent a challenge both to election officials and to voters who want to trust the electoral process. Failure to maintain the rolls may cause voter to question the integrity of an election.²⁸

While list maintenance is a bipartisan concern, the right and left approach the problem differently. The left, including politicians and academia, warn that efforts to purge rolls will

²¹ Christina A. Cassidy, *Explainer: Varying Views On How To Keep Accurate Voter Rolls*, Associated Press, March 25, 2021, <https://www.apnews.com/article/voter-registration-voting-voting-rights-laws-635a7b80d2989285137cb88f0560d794>.

²² See, e.g., *Husted v. A. Philip Randolph Institute*, 584 U.S. ___, 138 S.Ct. 1833 (2018) (upholding Ohio’s law aiming to “keep the State’s voting lists up to date by removing the names of those who have moved out of the district where they are registered”).

²³ J. Christian Adams, *Voter Rolls Are Essential to Victory In The Election Integrity Fight. Here’s Why*, The Daily Signal, October 17, 2022, <https://www.dailysignal.com/2022/10/17/voter-rolls-are-essential-to-victory-in-the-election-integrity-fight-heres-why>.

²⁴ *Critical Condition: American Voter Rolls Filled With Errors, Dead Voters, And Duplicate Registrations*, p. 8, Public Interest Legal Foundation, September 2020, https://publicinterestlegal.org/pilf-files/Report-Critical_Condition-Web-FINAL-FINAL.pdf.

²⁵ *Id.* at p. 24.

²⁶ *Inaccurate, Costly, and Inefficient: Evidence That America’s Voter Registration System Needs An Upgrade*, p. 1, The Pew Center On the States, February 2012, https://www.pewtrusts.org/-/media/legacy/uploadedfiles/pcs_assets/2012/pewupgradingvoterregistrationpdf.pdf.

²⁷ *Id.* at 4.

²⁸ E.g. *Voter Lists: Registration, Confidentiality, And Voter List Maintenance*, United States Election Assistance Commission, March 16, 2023, <https://www.eac.gov/election-officials/voter-lists-registration-confidentiality-and-voter-list-maintenance>.

eliminate minority voters while Republicans point out that failure to clean the rolls undermines confidence while inviting fraud.²⁹ The bipartisan Presidential Commission on Election Administration agreed with the vital importance of voter registration list maintenance, stating: “Accurate voter lists are essential to the management of elections. . . . The quality of the list can affect the ability of people to vote, of election offices to detect problems, and of courts and others monitoring elections to detect election fraud or irregularities. A list with many incorrect records can slow down the processing of voters at polling places resulting in longer lines.”³⁰

Despite the left’s criticism of voter list maintenance practices, the efforts continue to enjoy bipartisan support and are an integral part of election integrity measures. Proper list maintenance enhances voter confidence by ensuring that each eligible voter may cast an undiluted ballot in his or her proper jurisdiction, while decreasing the amount of time voters spend at the polls.³¹

Ranked-Choice Voting

Some reforms proposed by leftist academics, interest groups, and politicians decrease voter participation and confidence by injecting confusion and uncertainty into the electoral process. A current favored reform is ranked-choice voting (RCV), which was first adopted for a few municipal elections around 2004 and eventually statewide in Maine and Alaska by 2020. Multiple studies, including those in some deeply liberal regions, establish that voters neither like nor trust RCV.

RCV is a voting system where voters are forced to qualitatively rank all candidates in order of preference or risk the exhaustion of their ballot.³² This is compared to a traditional election, where voters need only identify the candidate of their choice. When tabulating votes, election experts determine who received the lowest number of first place votes, eliminate that candidate, redistribute the votes of the losing candidate based on the voter’s preference, and then retabulate.³³ Officials repeat this process until they can determine the winner. The only problem is that the “winner” may not be the candidate receiving the most first place votes, but a plurality of preferential votes in later rounds.³⁴ RCV, thus, would force a conservative voter to make a qualitative judgment on whether she prefers a progressive candidate over a socialist candidate, or a liberal voter into ranking whether he prefers a conservative candidate over an alt-right candidate.

²⁹ Cassidy, *Explainer: Varying Views On How To Keep Accurate Voter Rolls*, above.

³⁰ Presidential Commission on Election Administration, *The American Voting Experience: Report and Recommendations of the Presidential Commission on Election Administration* (Jan. 2014), https://www.eac.gov/sites/default/files/eac_assets/1/6/Amer-Voting-Exper-final-draft-01-09-14-508.pdf.

³¹ *Voter Lists*, U.S. Election Assistance Commission, above.

³² *Ranked-Choice Voting: A Disaster In Disguise*, The Foundation for Government Accountability (FGA), August 25, 2022, <https://thefga.org/research/ranked-choice-voting-a-disaster-in-disguise/>.

³³ See *The Truth About Ranked-Choice Voting*, The Foundation for Government Accountability, July 31, 2022, <https://thefga.org/wp-content/uploads/2022/09/Ranked-Choice-Voting-overview-7-13-2022.pdf>.

³⁴ Quinn Townsend, *The Failed Experiment of Ranked-Choice Voting*, Alaska Policy Forum, August 8, 2020, <https://alaskapolicyforum.org/wp-content/uploads/2020-10-APF-Ranked-Choice-Voting-Report.pdf>. The authors note that in 61.46 percent of the elections where RCV occurred, the winner received less than 50 percent of the votes cast. pp. 11-12.

Ballot exhaustion comes into play where a voter fails to rank all candidates. If a voter fails to rank all candidates and an unranked candidate eliminates, after a tabulation, one of the voter's preferred candidates, the ballot is exhausted and no longer included in the tabulation process.³⁵ To have his or her vote fully count in the process, then, a voter must make a qualitative judgment about every candidate in the race, even if more than a dozen candidates are running.

Putting aside the myriad of other problems that exist with RCV, the option is not well-liked by voters. Many find the process confusing—so much so that proponents in Maine “felt the need to publish a 19-page instruction manual to help voters navigate the process.”³⁶ In a survey conducted by the Foundation for Government Accountability (FGA), 69 percent of voters believe that RCV is a complicated process.³⁷ Opposition to RCV increases as voters understand the details, including that RCV is more susceptible to tampering and irregularities compared to traditional elections, with 76 percent and 71 percent of voters less likely to support RCV.³⁸ A Rasmussen poll provides a similar result with 60 percent of voters opposing RCV when the concept was explained.³⁹

The increase in voter confusion results in decreased turnout. One report found that RCV both decreases voter confidence and increases the time needed to cast a ballot. “RCV produced significantly lower levels of voter confidence, voter satisfaction, and ease of use ... [I]t increased the amount of time it took to vote by nearly 12 second per candidate than voting using a plurality ballot.”⁴⁰ Another study pointed out that RCV “decreases voter turnout in mayoral elections by approximately 3-5 percentage points [with] the negative effect of RCV ... more pronounced in open-seat elections compared to those with an incumbent.”⁴¹ As a result of his studies, one author concluded that “the increased complexity of RCV will have a negative effect on voter turnout” and by doing so, will “serve to empower certain interest groups and amplify the voices of those members of the electorate who are already likely to be over-represented in urban and local elections.”⁴²

³⁵ *Id.* at p. 2

³⁶ *Id.* at p. 5.

³⁷ *Voters Oppose Ranked-Choice Voting*, The Foundation for Government Accountability, September 22, 2022, <https://thefga.org/wp-content/uploads/2022/12/National-Ranked-Choice-Voting-Message-Test-one-pager-9-22-22.pdf>.

³⁸ *Id.*

³⁹ Mike Vallante, *The American People Will Not Benefit From Ranked Choice Voting*, America First Policy Institute, October 27, 2022, https://assets.americafirstpolicy.com/assets/uploads/files/Issue_Brief_-_The_American_People_Will_Not_Benefit_From_Ranked_Choice_Voting.pdf. In a 2019 study, Rasmussen reported that only 31 percent of U.S. voters support RCV for *local elections* while 48 percent are opposed and 21 percent not sure. See, *Voters Frown on Second-Choice Voting*, Rasmussen Reports, November 6, 2019, https://www.rasmussenreports.com/public_content/politics/general_politics/november_2019/voters_frown_on_second_choice_voting.

⁴⁰ Jesse Clark, *The Effect of Ranked-Choice Voting in Maine*, Massachusetts Institute of Technology, Election Data + Science Lab, March 18, 2021, <https://electionlab.mit.edu/articles/effect-ranked-choice-voting-maine>.

⁴¹ Jason A. McDaniel, *Electoral Rules and Voter Turnout In Mayoral Elections: An Analysis of Ranked-Choice Voting*, p. 16, San Francisco State University, June 28, 2019, <https://cpb-us-w2.wpmucdn.com/web.sas.upenn.edu/dist/7/538/files/2019/07/McDaniel-RCV-Voter-Turnout-Revised-ESRA-2019.pdf>.

⁴² *Id.* at p. 17.

In the 2023 Democratic Party primaries, Arlington County experimented with RCV for all county-wide elections. After confusion surrounding the process and tabulation issues, the County Board declined to extend RCV to the general election. A board member expressed concerns with smaller than expected turnout among minority groups and claimed a need to reach out to “those who are less prone to turn out, who are less white, who are less educated, who have a higher threshold of accessibility to the political process.”⁴³ Despite claims that minorities and the less well educated failed to understand the process, a survey of Arlington voters conducted immediately after the primary revealed that 61 percent of respondents in the extremely liberal county opposed the use of RCV for the general election.⁴⁴ Notably, there is a disconnect between election officials and voters, with election officials claiming that voters generally found the voting process easy to understand, while “many participants... said they had trouble understanding the tabulation process.”⁴⁵ Voters further expressed concerns that their “second place vote was never counted,” and were especially troubled since there were two open seats. It did not help that the individual in second place after the first round of tabulations ended up in third once votes for the eliminated candidate were reassigned, making a winner of the candidate finishing early rounds in third.

Conclusion

For voters, perception is reality. If they perceive elections to be secure, straightforward, and transparent, they will vote. If voters perceive the electoral process as confusing, ripe for manipulation, or susceptible to fraud, they lack the confidence to vote. Electoral processes, such as ranked-choice voting, which are opaque and add to voter confusion result in decreased turnout. On the other hand, election integrity measures such as voter ID and robust list maintenance requirements enjoy broad public support and encourage participation and turnout.

***Note:** This paper was published in September 2023 when Center for Election Confidence was known as Lawyers Democracy Fund.*

⁴³ Mark Hand, *Ranked Choice Voting In Arlington Scuttled By Vote Counting Confusion*, MSN, July 17, 2023, <https://www.msn.com/en-us/news/politics/ranked-choice-voting-in-arlington-scuttled-by-vote-counting-confusion/ar-AA1dZbDz>.

⁴⁴ Mark Hand, *Majority Oppose Ranked Choice Voting for Arlington Election: Survey*, The Patch, July 29, 2023, <https://patch.com/virginia/arlington-va/majority-oppose-ranked-choice-voting-arlington-election-survey>.

⁴⁵ *Id.*