

How Hard Is It To Steal the Election?

Recent statements by the President raise concerns about the integrity of the upcoming Presidential election. In a close election, voter suppression and election interference could distort the outcome. However, because of the way U.S. elections are administered – in a highly local manner – I find that the risk of a stolen election is far lower than one might fear.

Voter Suppression has a long tradition in the United States, particularly in the formerly Jim Crow South. Techniques include discriminatory ID laws, under-provisioning or under-staffing minority precincts, and corrupting voter rolls to disqualify legal voters.

Absentee voting in this year of coronavirus presents a new target. President Trump has impugned the integrity of absentee voting, and has claimed that the USPS is incapable of delivering ballots securely and on time. A large-scale failure of the USPS would be an immense act of voter suppression, especially since absentee voters [tilt strongly toward Biden](#). And Trump's new postmaster general, Louis DeJoy, has recently implemented changes that slow the delivery of the mail.

(*Voter Fraud* is another possibility, but this has historically been very rare in the US. Trump has raised the specter of large-scale foreign counterfeiting of ballots, but this is prevented by bar-coding of ballots.)

Could rhetoric about a corrupt election set the stage for Republicans to challenge a November defeat? With enough confusion, the Presidential election could be thrown to the House of Representatives, where a state-by-state vote would favor Republicans.

Ultimately, in the US election system, elections are administered locally. The integrity of the election depends on the ability and willingness of dozens of state-level officials and thousands of county officials to pull off an orderly election. There is a long tradition of honest election administration in most states, regardless of party affiliation (see [this recent article](#) by Michael Sorzan and Christopher Guerrero).

However, these are strange times, and we have to be ready for any scenario. So I've examined the processes and partisan control of voting in all 50 states, which manage their elections differently.

- 24 states elect a Chief Election Officer (CELO) responsible for managing and certifying elections. Usually the CELO is the Secretary of State.
- In 6 states, governors appoint the CELO.
- 5 state legislatures and 1 state senate appoint the CELO.
- 7 states support bipartisan election boards with different mechanisms for appointing board members and the CELO. The governor has some degree of influence, but the boards are nominally bipartisan.

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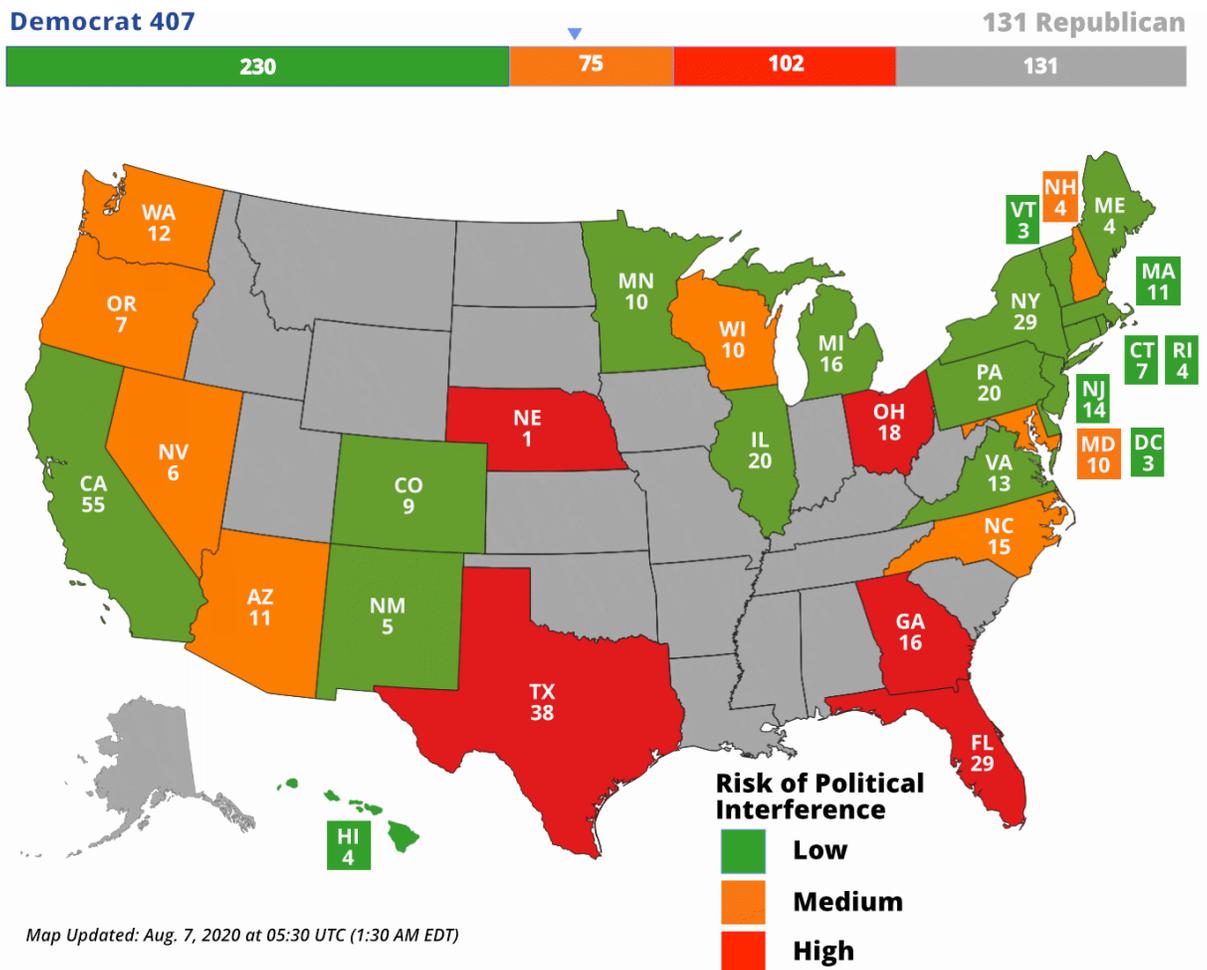
In my tabulation, the danger to Joe Biden is relatively small. The basic reason for this is that states Biden is most likely to carry have election processes that are managed, at least in part, by his own party. In these states, elections officials can take steps to ensure that votes will be counted in an orderly manner, even if the mails are slowed. If these states can certify Biden as the winner, then the worst scenarios come off the board.

For the purposes of this analysis we looked at the states which PEC rates as Strong Biden, Likely Biden, or Leaning Biden (as of August 7, 2020), and rated the risk of political interference in Biden winning those states as follows:

Low risk: Democratic or non-partisan CELO and Democratic governor, or Democratic CELO and legislative supermajorities and a Republican governor.

Moderate risk: Split-party control by CELO and governor, or election boards with a history of partisanship. Examples: North Carolina, Wisconsin.

High Risk: Republican governor and CELO. Examples: Texas, Florida, Georgia, Ohio.



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Even after losing all high-risk states, Biden can still get to 289 electoral votes with Safe/Likely states that are Low/Moderate risk:

	Safe	Likely	Lean	Total
Total predicted Biden EV	239	80	88	407
<i>In states where the risk of suppression/fraud is</i>				
Low	199	30	1	230
Moderate	39	21	15	75
High	1	29	72	102
Cumulative Total: Low + Moderate Risk	238	289	305	

In short, even in the unlikely scenario that elections officials abandon their duty to administer elections, a stolen election seems unlikely.

Of course, at the moment the election does not appear to be all that close in electoral terms. After a string of mostly close elections since 2000, this year's contest looks more like the historical norm, in which one party or the other usually dominates both the popular vote and the electoral vote. And if Biden is perceived as a near-certain winner, state officials will be even less motivated to skew the result.

None of this changes the importance of holding an orderly election. Don't forget that one-third of the Senate and all of the House will be up for election, as well as thousands of local races and ballot questions. Volunteer to be a poll-watcher with your local election authority or political party. And don't forget to use the PEC 50-state guide and Redistricting Moneyball guide to find critical races near you!