



Ballot Collection and Native American Voters: An Assessment of Benefits and Costs

Daniel McCool and Weston McCool

Ballot collection refers to the practice of a third party offering to deliver a voter's ballot to a ballot box or post office:

Sometimes a voter may be unable to return the ballot in person or get it to a postal facility in time for it to be counted. In these cases, the voter may entrust the voted ballot to someone else—an agent or designee—to return the ballot. Returning ballots for others is known as ballot collection or, pejoratively, “ballot harvesting.”¹

Native Americans rely on ballot collection more than other groups of voters to help them overcome hurdles associated with long distances, poor mail service, inadequate roads, and a lack of transportation. Ballot collection on Indian reservations is usually offered by family or clan members, tribal government units, Native advocacy organizations such as Western Native Voice, “Native Vote” groups, and other Native organizations that provide services to Native voters. In some cases, ballot collection is supported by national political parties and national voting advocacy groups.²

However, some western legislatures, such as Montana, Arizona, Nevada, and Utah, have recently outlawed, or attempted to outlaw, ballot collection, leaving Native American voters at a disadvantage. Tribes have responded to some of these laws by

DANIEL MCCOOL is a professor of political science at the University of Utah. He coauthored *Native Vote: American Indians, the Voting Rights Act, and the Right to Vote and Obstacles at Every Turn: Barriers to Political Participation Faced by Native American Voters*. He has worked as an expert witness in twenty-six voting-rights cases with Native American plaintiffs. WESTON MCCOOL is a quantitative anthropologist who studies the social, economic, and environmental influences of human behavior. He has published more than a dozen articles on topics from socioeconomic drivers of homicide in the United States to the influences of climate and environmental change on demography. He has served as an expert witness in three voting-rights cases.

filing lawsuits against these new restrictions (see list of cases in endnote number two). The proponents of ballot collection in these cases were Native American voters and, in some cases, other minority voters. The opponents of ballot collection based their claims on the issue of voter fraud. Relying upon the best available data on the costs of voting and voter fraud, this article first identifies the benefits to Native American voters who rely on ballot collection, and then applies a statistical test to examine whether ballot collection actually leads to increased rates of voter fraud among Native voters or other groups.

BALLOT COLLECTION AND THE COST OF VOTING

To understand the benefits of ballot collection, we rely on the concept of “the cost of voting,” which is well developed in the political science literature.³ As Anders Woller, Mogens Justesen, and Jacob Hariri note, “It is widely accepted that voters’ likelihood of participating in elections depends on the cost of voting”⁴ A large body of research has found that many variables affect voter behavior and voter turnout, including electoral system features. Some attributes of an electoral system can increase, or decrease, the costs of voting. Attributes of an electoral system that increase the costs of voting tend to decrease voter participation and turnout.⁵

In states that allow ballot collection, an individual voter may, at their discretion, opt to have someone collect their ballot and deliver it to a mailbox or polling place. It is a voluntary act on the part of each voter as to whether they want to accept the services of a ballot collector. If a voter chooses to have their ballot collected by another person, they do not have to travel to a mailbox or polling site, thus reducing their cost of voting. If ballot collection is outlawed, it potentially increases voter costs for some voters, especially those with the demographic and geographic characteristics that are typically found on Indian reservations.

Ballot collection on Indian reservations helps voters overcome long distances, poor roads, and limited ability to travel.⁶ The Supreme Court of Montana succinctly summarized why ballot collection is so important to Native American voters:

Native American voters as a group face significant barriers to voting; many live far away from county elections offices and postal centers; many have limited access to transportation; many have limited access to postal services, lacking residential mailing services and using Post Office boxes instead, which brings associated costs and travel; mail for those living on reservations may take longer to reach its destination than for other voters in the state; some reservations lack a uniform and consistent addressing system, which makes it difficult for residents to register to vote; and many experience higher rates of poverty.⁷

The plaintiffs in a case in Nevada argued that a ballot collection ban would “effectively disenfranchise countless Nevada voters, including voters with limited mobility and voters who live in communities where accessing the mail system is difficult.”⁸ These are the conditions that prevail on many Indian reservations.

Because ballot collection has been popular with Native American and other minority voters, there have been charges of discrimination when ballot collection bans are proposed or implemented.⁹ Those claiming that ballot collection results in voter fraud often point to minority communities as examples of voter fraud when those communities choose to use ballot collection.¹⁰

RESULTS: THE BENEFITS OF REDUCING THE COST OF VOTING

Ballot collection was a less important element of the electoral process when nearly all ballots were cast in person at a polling place. But the rapid rise of vote-by-mail and no-excuse absentee voting have made ballot collection more relevant to Native communities without adequate or timely mail service. There are four factors that influence the level of benefits—i.e., that lower the cost of voting—bestowed upon Native voters who use ballot collection. Ballot collection is popular on some reservations because it helps ameliorate the problems associated with these four factors.

Vote-by-Mail and Absentee Balloting. Vote-by-mail (VBM) has grown in popularity in recent years.¹¹ Prior to 2020, five states made VBM available to all voters. In 2020, in the face of a pandemic, VBM and absentee voting became even more popular, with 46 percent of voters reporting that they used one of those methods, and several states made VBM and absentee voting more accessible to voters.¹² For the 2022 mid-term elections, 32 percent of voters cast their ballots by mail.¹³ Prior to 2020, the impact of VBM on turnout was mixed, with a range of outcomes in the empirical research investigating the correlation between VBM and voter turnout.¹⁴ All of those studies were conducted prior to the pandemic and the 2020 election, which saw a record level of turnout, at 66.3 percent of the eligible voting population.¹⁵

One reason why studies of the impact of VBM on turnout vary considerably in their findings is because the electoral procedures employed by states vary in regard to their impact on the cost of voting; as pointed out above, electoral procedures with lower voter costs tend to increase turnout and participation to a greater degree than those with higher costs. For example, closing some polling places may force some voters to travel a longer distance to vote; conversely, the costs of voting can be reduced by the use of drop boxes or opening additional polling locations. One method of further reducing voter costs in systems that rely heavily on VBM and absentee voting is to allow ballot collection, which permits the voter to, at their discretion, eliminate their travel costs. Effectively, ballot collection brings the ballot box to the front porch, eliminating the need to travel to a drop box, a mailbox, or a polling site.

Voter costs associated with VBM and absentee voting are not distributed equally among all voters.¹⁶ Offering ballot collection is one technique to equalize those voter costs. If VBM and absentee balloting become more popular, the potential for ballot collection to reduce the cost of voting increases, especially on Indian reservations. States that have recently outlawed or attempted to limit ballot collection vary slightly in the extent to which they use VBM. Utah and Nevada are all-VBM states. Arizona (5.2 percent Native American) and Montana (6.5 percent Native American) have no-excuse absentee voting.¹⁷

Distance. There is a substantial body of academic literature indicating that long distances, traffic congestion, delays, bad roads, and lack of transportation reduce voter turnout even for groups that have a high turnout rate. Accessibility is a function of several variables: distance to a polling place, drop box, or mailbox; availability and ease of transportation; mobility; and familiarity and comfort with the electoral process.¹⁸ The cost of voting increases when these variables present obstacles to accessing the electoral process.¹⁹

The costs associated with difficulty in accessing polling sites is mitigated somewhat by the choice of switching to VBM and absentee voting, but that assumes that an election office, drop box, or post office is nearby and easily accessible. But many Native voters lack ready access to these, so the option of using the service of ballot collection becomes more appealing because it can significantly reduce their costs, especially if they live in remote areas of Indian reservations.²⁰ Long distances to polling places or post offices on Indian reservations are well documented.²¹ Jonathan Nez, the president of the Navajo Nation in 2019, testified before Congress regarding the problems caused by long distances and few transportation options:

When it comes time to vote on the Navajo Nation, in Navajo State and Federal elections, it is difficult for some of our membership due to the rural nature of our land. One example of rural living on the Navajo Nation is public transportation, which is available in most of the United States. There is no public transportation that allows for the pickup of individual citizens at their place of residence. This severely limits the transportation options for the elderly and disabled citizens. People are relying on relatives or friends for rides, especially in the more rural areas. In some parts of the Nation, only one in ten families owns a vehicle, which further limits transportation options.²²

Long distances are exacerbated by poor road conditions. A 2018 report from the US Government Accountability Office found that “roads are especially important on tribal lands because of the remote location of some tribes. But these roads are often unpaved and may not be well maintained. . . . According to the BIA [Bureau of Indian Affairs], the majority of roads owned by tribes or BIA are dirt.”²³ Problems associated with long distances are compounded by the other factors discussed in this section, such as poverty. A tribal leader in Montana explained why: “A lot of people were told, you got to go to Heart Butte to vote. And some people don’t have transportation. Some people don’t . . . they decide, do we pay lights? Do they buy food? Do they go to town to pick up essentials, or do they go spend [the gas for a] 130-mile round-trip for casting their ballot?”²⁴ These problems associated with long distances can be eliminated if a voter chooses to use the services of a ballot collector.

Socioeconomic Variables. It is well established in political science that socioeconomic well-being correlates positively with political participation.²⁵ This is especially true for voting.²⁶ This fact has particular relevance to Native Americans; they have the lowest income levels in the nation. Another demographic element that affects voting is a voter’s level of education, which correlates positively with turnout rates.²⁷ Thus, unequal resources—money, access to high-quality schools and educational

opportunities, knowledge of the system and civic skills, and the means to access polling sites and mailboxes—result in unequal opportunities to participate in the electoral process.

These inequalities afflict Indian reservations to a greater extent than other demographic groups.²⁸ In Arizona, an average of 13.4 percent of Native Americans are unemployed, compared to 4.1 percent for the state as a whole, with a range of unemployment from 7.1 percent to 26.7 percent. The median income for Native Americans is \$40,574 compared to a state income level of \$65,913. The two poorest counties in Arizona are Navajo and Apache. Navajo County, with a Native population of 44.6 percent, has a poverty rate of 24.8 percent and a per capita income of \$20,858. Apache County, with a Native population of 74.5 percent, has a poverty rate of 24.4 percent and a per capita income of \$16,888.²⁹ In Montana, the three poorest counties all have substantial Native populations. The Montana governor's Office of Indian Affairs summed up the economic condition of Native people in that state: "Reservation unemployment, poverty, school dropout rates, and public assistance levels are significantly higher than the Montana average. Basic infrastructure on our reservations needs to be improved."³⁰ In South Dakota, poverty rates on Indian reservations range from 22 percent to 59.9 percent (2013 to 2020); the poverty rate for the state as a whole in 2021 was 11.6 percent (that includes the 9 percent of the population that is Native American).³¹

Ballot collection ameliorates voter costs associated with these demographic variables. Low-income Native voters may not own a vehicle, or may not have the financial means to maintain, insure, and license a vehicle that can be used to travel to a post office or polling site. Voters with less education may not understand the electoral process and the ballot. The secretary of state for the Cherokee Nation succinctly made this point:

I think the more marginalized the population is, the more difficult it may be to access that sort of [voting] information through the mediating institutions that you would expect to provide that through the media and other sources. When you get a population that perhaps has some lower education attainment than the greater population, there's a challenge to accessing and understanding some of the information.³²

Less educated voters may not understand the difference between an election day receipt deadline and an election day postmark deadline. Misunderstanding deadlines is quite evident in the large number of mailed ballots that come in a few days late and thus are not counted.³³ But individuals who offer ballot collection would certainly understand how and when ballots should be delivered to make sure they count, and ballot collection can assist low-income voters who have difficulty getting time off of work or getting childcare. Thus, ballot collection is especially appealing to Native voters with lower income levels and/or less education.

The United States Postal Service. The US Postal Service is a critical element in vote-by-mail (VBM) and absentee voting: the agency must handle a sudden expansion in the volume of mail and deliver it in a predictable and timely manner so the

ballots arrive in time to be counted. But in recent years, the Postal Service has fallen short of that goal. As a result, mail takes longer to deliver, especially in rural areas, and it becomes more difficult to predict how long it takes for a mailed ballot to arrive at a county election office.³⁴ During the 2020 election cycle, the postmaster general admitted the inability of the Postal Service to promptly deliver all mail-in ballots.³⁵ The Postal Service Reform Act of 2022 will solve some of these problems, but delivery times are still expected to be longer than in the past.³⁶

Poor to nonexistent mail service on Indian reservations is well documented.³⁷ For example, there are only forty-eight post offices and contracted postal units on Indian reservations in Arizona, which encompass more than nineteen million acres.³⁸ On the Navajo reservation, a comprehensive study of mail service concluded the following: "We systematically found evidence that off-reservation rural areas had far better access to the mail services necessary for voting. . . . Moreover, these disparities in mail service negatively impact the ability of Navajo voters to access vote by mail in a manner comparable to other Arizona voters."³⁹ The National Conference of State Legislatures summed up the problem:

Mail delivery is not uniform across the nation. Native Americans on reservations, in particular, may have difficulty with mostly mail elections because many do not have street addresses, and their PO boxes may be shared. Low-income citizens move more frequently and keeping addresses current can pose problems. Literacy can be an issue for some voters, as well, since election materials are often written at a college level.⁴⁰

These problems have significant implications for the role of ballot collection in elections. One of the advantages of using the voluntary services of a ballot collector is that, first, they understand the deadline regarding when ballots must be delivered, and second, they can make sure ballots are delivered to a post office in time to be counted. As an alternative, they can take the ballots directly to a drop box or county election office and bypass the Postal Service altogether. This option is especially attractive to a voter who has waited too late to place the ballot in the mail with a reasonable expectation that it will arrive in time to be counted; a ballot collector can take their ballot directly to an election office or drop box. In short, ballot collection helps ameliorate the problems that may occur with the lengthy and unpredictable delivery times that often plague Indian reservations. It also serves voters who have waited too long to ensure that their ballot, if placed in a mail box, will arrive on time. This reduces the cost of voting and directly benefits those voters. In sum, ballot collection is a benefit that is bestowed directly upon a voter who chooses to use it.

RESULTS: BALLOT COLLECTION AND ALLEGED COSTS

The discussion above identifies the advantages of ballot collection and explains how it can reduce the costs of voting overall and also reduce inequality in those costs. But critics of the practice claim it leads to voter fraud.⁴¹ If that were true, the threat to election integrity would constitute a major cost of permitting ballot collection. This

section assesses such claims by using the best available evidence of ballot fraud and matching that data with the practice of ballot collection.

The most complete compendium of actual convictions for voter fraud is compiled by the conservative think tank, the Heritage Foundation. Their total count of “proven instances of voter fraud” beginning in the early 1980s through the 2018 election (we analyze the data for the 2020 election separately) was 1,308, out of a data bank that covers local, state, and federal elections. In other words, they discovered 1,308 cases of voter fraud out of hundreds of millions of votes cast. Another data set on alleged voter fraud was compiled by News21, a project of the Walter Cronkite School of Journalism and Mass Communication at Arizona State University. The News21 data consists of a looser category of “alleged election fraud,” and covers all elections from 2000 to 2012. In 2016, News21 updated their data by looking at five states where there were widespread claims of voter fraud. Their total is 2,068 cases of *alleged* fraud out of the hundreds of millions of votes cast from 2000 to 2012.⁴² For elections between 2012 and 2016, they found 38 cases out of the tens of millions of votes cast.⁴³

These data sets are imperfect,⁴⁴ but they are the most comprehensive data sets that are available; historic data on voter fraud convictions has not been collected by independent scholars or government entities in a systematic manner. The very small number of cases makes it obvious that, even though voter fraud is astonishingly rare, it does occur. That creates an opportunity to examine whether those rare cases correlate with specific attributes of an electoral system. This article attempts to do that with one of those attributes—ballot collection.

If permitting ballot collection actually increased voter fraud, we would expect to see a significant difference in levels of fraud in those states that permit ballot collection compared to those that do not. An assessment of that question is crucially important to any state that is considering whether to allow ballot collection. To answer that question, all fifty states were divided into three categories:

1. **Most Restrictive** (nineteen states): Only the voter, a family member, or caregiver can deliver a ballot. Of these states, four have substantial Native populations: Arizona (311,014), Nevada (37,715), New Mexico (195,166), and Oklahoma (303,791).⁴⁵
2. **Restrictive** (nine states): Only family, friends, or a designee can deliver a ballot, but there are additional requirements, such as a signature or a strict limit on the number of ballots an individual can deliver. The nine states are Arkansas, Colorado, Maine, Maryland, Minnesota, Montana, New Jersey, South Carolina, and West Virginia. We did not include this category in our analysis because it is a “fence-sitter” sample that does not provide a clear picture of the impact of ballot collection in those states.⁴⁶ Of these states, Colorado (53,671), Minnesota (54,558), and Montana (65,523) have substantial Native populations.
3. **Permitted** (twenty-two states): Ballot delivery collection is permitted. This is the only category in which third-party ballot collection can effectively take place. Two states—Mississippi and Utah—recently banned ballot collection, but we placed them in this category because they allowed ballot collection for nearly all of the time period we investigated.⁴⁷ Of these states, nine have substantial Native

populations: Alaska (107,298), California (311,629), North Dakota (39,165), South Dakota (74,975), Utah (33,222), Washington (91,766), Wyoming (13,117), Idaho (23,029), and Nebraska (16,875).

If the claim that ballot collection leads to significant voter fraud is true, then levels of fraud should be significantly higher in the states that allow ballot collection. To test this hypothesis, data in table 1 were compiled from the Heritage Foundation for the period covered by that data set (1982–2019) and from News21 for the period covered by that data set (2000–2012). We used data from the Heritage Foundation to separately analyze the 2020 election (table 2). To effectively compare different states, we noted the population of each state. To statistically evaluate differences in voter fraud between states that permit ballot collection from those that do not, we used a Wilcoxon signed-rank test to conduct a pair-wise analysis for each voter fraud variable in the data set. The nonparametric Wilcoxon test is appropriate given the skewed distribution of the voter fraud variables. We compare both raw counts and rates as counts per 100,000 people for each state (tables 1, 2).

In reviewing these data, there are three important caveats. First, the Heritage Foundation data is for actual convictions, and the News21 data is for alleged fraud, so the latter is sometimes substantially higher than the former. That difference indicates that a lot of alleged cases do not actually result in a conviction. Second, these data include cases of registration fraud and do not indicate if people who were fraudulently registered actually voted or attempted to vote. If the data only included cases of actual voting fraud, the numbers would be even smaller. Third, the data on state population is provided for comparison purposes only. Population figures do not indicate how many people voted over the time period covered by the two data sets; that total would only include actual turnout but would be multiplied by the number of elections in the time period covered by the data, which varies according to the data set.

Table 1 presents data for the nineteen states that do not allow ballot collection, and the twenty-two states that permit ballot collection for the elections prior to 2020 for which we have data. “HF_conv” is the number of convictions in that state according to the Heritage Foundation data; “HF_rate” is the rate of convictions per 100,000 population members. “N21_alleg” is the number of alleged cases according to the News21 data; “N21_rate” is the rate of allegations per 100,000 population members.

When we extracted the 2020–21 pandemic-related data from the Heritage Foundation data set, the median values for Heritage Foundation convictions and rates are nearly zero for states that permit and those that prohibit ballot collection, showing voter fraud convictions were virtually nonexistent in the 2020 election for all states, regardless of whether they allowed ballot collection.

TABLE 1
COMPARING RATES OF VOTER FRAUD IN STATES THAT PROHIBIT
OR PERMIT BALLOT COLLECTION
Heritage Foundation (1982–2019) and News21 (2000–2012)

State	Population	Ballot	HF_conv	HF_rate	N21_alleg	N21_rate
Alabama	4,859,000	prohibit	16	0.32	16	0.32
Arizona	6,828,000	prohibit	20	0.29	7	0.1
Connecticut	3,590,000	prohibit	26	0.8	196	5.45
Georgia	10,215,000	prohibit	20	0.19	301	2.94
Indiana	6,619,000	prohibit	43	0.64	62	0.93
Louisiana	4,671,000	prohibit	4	0.08	4	0.08
Massachusetts	6,794,000	prohibit	4	0.05	1	0.05
Michigan	9,922,000	prohibit	11	0.11	17	0.17
Mississippi	2,992,000	prohibit	31	1.03	74	2.47
Missouri	6,084,000	prohibit	19	0.31	17	0.28
Nevada	2,891,000	prohibit	6	0.2	2	0.07
N. Hampshire	1,330,000	prohibit	15	1.12	20	1.5
N. Mexico	2,085,000	prohibit	8	0.38	10	0.48
N. Carolina	10,043,000	prohibit	31	0.3	22	0.22
Ohio	11,613,000	prohibit	52	0.44	77	0.66
Oklahoma	3,911,000	prohibit	3	0.07	1	0.02
Pennsylvania	12,802,000	prohibit	22	0.17	23	0.18
Texas	27,469,000	prohibit	86	0.31	104	0.37
Virginia	8,383,000	prohibit	20	0.23	35	0.41
Alaska	739,000	permit	3	0.4	9	1.21
California	39,145,000	permit	42	0.1	56	0.14
Delaware	946,000	permit	0	0	1	0.1
Florida	20,271,000	permit	37	0.18	39	0.19
Hawaii	1,431,000	permit	2	0.14	NA	NA
Idaho	1,655,000	permit	10	0.6	12	0.72
Illinois	12,860,000	permit	45	0.35	23	0.17
Iowa	3,124,000	permit	17	0.54	49	1.56
Kansas	2,911,000	permit	12	0.41	216	7.42
Kentucky	4,425,000	permit	30	0.67	69	1.56
Nebraska	1,896,000	permit	2	0.1	2	0.1
New York	19,796,000	permit	20	0.1	18	0.09
N. Dakota	757,000	permit	3	0.39	3	0.39
Oregon	4,029,000	permit	15	0.37	33	0.82
R. Island	1,056,000	permit	0	0	5	0.47
S. Dakota	859,000	permit	5	0.58	1	0.11
Tennessee	6,600,000	permit	10	0.15	14	0.21
Utah	2,996,000	permit	1	0.03	51	1.7
Vermont	625,000	permit	0	0	NA	NA
Washington	7,170,000	permit	12	0.16	270	3.76
Wisconsin	5,771,000	permit	46	0.79	57	0.98
Wyoming	586,000	permit	3	0.51	4	0.68

TABLE 2
COMPARING RATES OF VOTER FRAUD IN STATES THAT PROHIBIT
OR PERMIT BALLOT COLLECTION
Heritage Foundation (2020)

State	Population	Ballot	HF_conv	HF_rate
Alabama	5,024,279	prohibit	0	0
Arizona	7,151,502	prohibit	1	0.014
Connecticut	3,605,944	prohibit	0	0
Georgia	10,711,908	prohibit	0	0
Indiana	6,785,528	prohibit	0	0
Louisiana	4,657,757	prohibit	1	0.021
Massachusetts	7,029,917	prohibit	0	0
Michigan	10,077,331	prohibit	1	0.01
Mississippi	2,961,279	prohibit	1	0.034
Missouri	6,154,913	prohibit	0	0
Nevada	3,104,614	prohibit	0	0
New Hampshire	1,377,529	prohibit	2	0.145
New Mexico	2,117,522	prohibit	2	0.094
N. Carolina	10,439,388	prohibit	0	0
Ohio	11,799,448	prohibit	0	0
Oklahoma	3,959,353	prohibit	0	0
Pennsylvania	13,002,700	prohibit	2	0.015
Texas	29,145,505	prohibit	0	0
Virginia	8,631,393	prohibit	2	0.023
Alaska	733,391	permit	0	0
California	39,538,223	permit	11	0.028
Delaware	989,948	permit	0	0
Florida	21,538,187	permit	0	0
Hawaii	1,455,271	permit	0	0
Idaho	1,839,106	permit	0	0
Illinois	12,812,508	permit	0	0
Iowa	3,190,369	permit	0	0
Kansas	2,937,880	permit	0	0
Kentucky	4,505,836	permit	0	0
Nebraska	1,961,504	permit	0	0
New York	20,201,249	permit	0	0
N. Dakota	779,094	permit	0	0
Oregon	4,237,256	permit	0	0
Rhode Island	1,097,379	permit	0	0
S. Dakota	886,667	permit	0	0
Tennessee	6,910,840	permit	0	0
Utah	3,271,616	permit	0	0
Vermont	643,077	permit	0	0
Washington	7,705,281	permit	0	0
Wisconsin	5,893,718	permit	1	0.017
Wyoming	576,851	permit	0	0

Two basic conclusions can be reached by examining the descriptive and inferential statistics in tables 1 and 2. First, the number of cases of actual voter fraud, or even alleged voter fraud, is infinitesimally small compared to the vast number of votes cast. A 2020 analysis of the total votes cast in the elections covered by the Heritage Foundation data set calculated that the occurrence of voter fraud was “about 0.00006 percent of the total votes cast.”⁴⁸ Another recent analysis of three states with all-VBM elections calculated that the number of “possible cases” of voter fraud was 0.0025 percent of all votes cast.⁴⁹ Numerous studies have documented the extreme rarity of voter fraud.⁵⁰ And a 2021 empirical analysis found no support for the claim that voter fraud had an impact on the outcome of the 2020 election.⁵¹ Reuters conducted a comprehensive review of voter fraud claims prior to the 2022 election and again found virtually no fraud.⁵² The data analyst hired by the Trump Administration to “find voter fraud” recently published his findings: “The bonkers claims of voter fraud made in the aftermath of the 2020 general election were wrong across the board. . . . Voter fraud has not swung any election outcome I am familiar with on a national level.”⁵³

Second, there is no significant difference in the counts or rates of voter fraud between states that prohibit ballot collection and states that permit ballot collection, with the exception that median counts of voter fraud convictions are slightly *higher* (P-value = 0.0438, table 3) among states that *prohibit* ballot collection according to the Heritage Foundation data in tables 1 and 2. Statistical results indicate no significant relationship between rates of voter fraud and ballot collection.

TABLE 3
RESULTS OF STATISTICAL ANALYSIS

Measure	W-value	P-value	Median Prohibit	Median Permit
HF convictions	131.5	0.0438*	20	10
HF rates	186	0.556	0.3	0.265
N21 allegations	179.5	0.779	20	20.5
N21 rates	222.5	0.368	0.32	0.575

Note: This table shows the results of Wilcoxon signed-rank statistical tests. “HF convictions” and “N21 allegations” are counts; “HF rates” and “N21 rates” control for population by using the count of cases per 100,000 people for each state.

There are numerous laws that can be used to prosecute these extremely rare cases of registration fraud and voter fraud, and there are many ways to prevent fraud that do not incur additional costs to the voter.⁵⁴ The evidence collected for this study indicates that ballot collection bans are not a necessary component of laws intended to reduce voter fraud.

DISCUSSION AND CONCLUSION

Ballot collection is not new; what is new is that the issue has become increasingly partisan.⁵⁵ New legislation against ballot collection in western states appears to target Native voters because they are often most likely to rely on ballot collection.⁵⁶ The

legitimacy of ballot collection and its impact on minority voting rights was considered by the US Supreme Court in *Brnovich v. Democratic National Committee* (2021). That case involved both Native American and Hispanic voters who relied on ballot collection. The state of Arizona based its opposition to ballot collection on the allegation of fraud, arguing that a ban “would eliminate all the valuable antifraud concerns implicated in the ban on ballot harvesting.”⁵⁷ Because *Brnovich* involved Section 2 of the Voting Rights Act, the debate over ballot collection assumed even greater importance. Despite a complete lack of evidence that ballot collection leads to voter fraud, the Court ruled on behalf of the state of Arizona and its ballot collection ban.

If the trend toward using the mail to deliver ballots rather than voting in person continues, the issue of ballot collection will grow in importance, especially for Native voters who face greater challenges in travel and have lower levels of income and education. In some rural counties, in-person voting locations have been closed, forcing voters to rely on vote-by-mail. For these voters, ballot collection can significantly reduce their cost of voting and provide a direct voter benefit. If the US Postal Service continues to experience delays and uncertainty in the delivery of ballots, these conditions will be exacerbated.

The data presented in this article indicate that there is no relationship between the practice of ballot collection and rates of voter fraud, but there are significant advantages for Native voters who choose to use ballot collection. In the most recent case, the Montana Supreme Court summarized the reasons why ballot collection is a voter benefit on Indian reservations: “Native Americans disproportionately rely on ballot collection to vote, in part due to a history of discrimination around voting . . . and unique circumstances in Indian country that make it much more difficult to access polling places or post offices.”⁵⁸ All public policies have both benefits and costs; in the case of ballot collection, the reduction in access costs renders a significant benefit to voters, but the costs to society of allowing ballot collection are negligible.

This study also points out the utility of the “costs of voting” concept, which allows researchers to assess the costs of electoral systems and how those costs are distributed across different sets of voters. We believe that concept should be expanded to include “voter benefits;” they are not simply the absence of costs, but create a direct and measurable benefit to voters. Electoral systems that minimize the costs of voting, and allow or provide direct services to voters such as ballot collection, viable transportation options, and voter support will tend to maximize the potential for inclusive and democratic elections.

NOTES

1. “Table 10: Ballot Collection Laws,” National Conference of State Legislatures, December 21, 2023, <https://www.ncsl.org/elections-and-campaigns/table-10-ballot-collection-laws>.

2. *Western Native Voice v. Jacobsen*, Thirteenth Judicial District Court, Montana, DV-21-0451 (2022); *Brnovich v. Democratic National Committee*, 594 U. S. ____ (2021); *DSCC v. Simon*, Second Judicial District Court, Minnesota, A20-1017 (2020); *Western Native Voice v. Stapleton*, Thirteenth Judicial District Court, Montana, DV-2020-377 (2020); *Corona v. Cegavske*, First Judicial Court in and for Carson City, Nevada, 20-OC-00064-1B (2020).

3. Scot Schraufnagel, Michael Pomante, and Quan Li, “Cost of Voting in the American States: 2022,” *Election Law Journal* 21, no. 3 (2022): 220–28; Scot Schraufnagel, Michael Pomante, and Quan Li, “Cost of Voting in the American States: 2020,” *Election Law Journal* 19, no. 4 (2020): 503–9; Henry Brady and John McNulty, “Turning Out to Vote: The Costs of Finding and Getting to the Polling Place,” *American Political Science Review* 105, no. 1 (2011): 115–34; Adam Berinsky, “The Perverse Consequences of Electoral Reform in the United States,” *American Politics Research* 33 (2005): 471–91.
4. Anders Woller, Mogens Justesen, and Jacob Hariri, “The Cost of Voting and the Cost of Votes,” *Journal of Politics* 85, no. 2 (2023): 594.
5. Stephen Pettigrew, “The Downstream Consequences of Long Waits: How Lines at the Precinct Depress Future Turnout,” *Electoral Studies* 20 (August 2020): 1–49; Brady and McNulty, “Turning Out to Vote”; Steven Rosenstone and John Mark Hansen, *Mobilization, Participation, and Democracy in America* (New York: MacMillan Publishing, 1993); Henry Brady, Sidney Verba, and Kay Schlozman, “Beyond SES: A Resource Model of Political Participation,” *American Political Science Review* 89, no. 2 (June 1995): 271–94.
6. *Western Native Voice v. Stapleton*, Thirteenth Judicial District Court, Montana, DV-2020-377 (2020); *Democratic National Committee v. Hobbs*, U.S. Court of Appeals for the Ninth Circuit, No. 18-15845, “Opinion” (2020); *Western Native Voice v. Stapleton* (2020); James Tucker, Jacqueline De León, and Daniel McCool, “Obstacles at Every Turn: Barriers to Political Participation Faced by Native Americans,” *Native American Rights Fund* (2020), 113, https://vote.narf.org/wp-content/uploads/2020/06/obstacles_at_every_turn.pdf; Patty Ferguson-Bohnee, *Testimony before the Senate Committee on Indian Affairs, Hearing on Voting Matters in Native Communities*, October 27, 2021; Jean Schroedel, *Voting in Indian Country: The View from the Trenches* (Philadelphia: University of Pennsylvania Press, 2020).
7. *Driscoll v. Stapleton*, Supreme Court of the State of Montana, Appeal from the District Court of the Thirteenth Judicial District in and for the County of Yellowstone, DA 20-0295, 2020 MT 247, 4–5 (2020).
8. *Corona v. Cegavske*, Complaint for Declaratory and Injunctive Relief Under Nevada Revised Statutes Sec. 33.010 and Nevada Revised Statute Sec. 33.030, First Judicial Court in and for Carson City, Nevada, 3 (2020). See Jean Schroedel, Melissa Rogers, and Joseph Dietrich, “Structural Racism, the USPS, and Voting by Mail On- and Off-Reservation in Arizona,” *Studies in American Political Development* 37 (2023): 111–26.
9. “No, Republicans Didn’t Lose California Because of Ballot Harvesting. But the Practice is Concerning,” *Los Angeles Times*, December 7, 2018; “Maricopa Ballot Harvesting Video Spurs Reagan, Goddard Ad,” *Arizona Independent News Network*, October 23, 2014, <https://arizonadailyindependent.com/2014/10/23/maricopa-ballot-harvesting-video-spurs-reagan-goddard-ad/>; *Democratic National Committee v. Hobbs*, 102.
10. Eric Celeste, “How Dallas Elections Really Work,” *D Magazine*, July 31, 2017; Arturo Garcia, “Texas Investigates Allegations of Voter ‘Harvesting,’” *Snopes*, October 19, 2016, <https://www.snopes.com/news/2016/10/19/texas-investigates-allegations-of-voter-harvesting/>; Scott Morefield, “Ballot Harvesting: California Dems’ Latest Election Stealing Tool,” *Townhall*, December 3, 2018.
11. Charles Stewart, “2016 Survey of the Performance of American Elections,” Final Report (Boston: Massachusetts Institute of Technology, 2016), <https://doi.org/10.7910/DVN/Y38VIQ>.
12. Jesse Yoder et al., “How Did Absentee Voting Affect the 2020 US Election?” Stanford Institute for Economic Policy Research (Working Paper No. 21-011), March 2021; Pew Research Center, “The Voting Experience in 2020,” November 20, 2020, <https://www.pewresearch.org/politics/2020/11/20/the-voting-experience-in-2020/>; National Conference of State Legislatures,

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

13. Charles Stewart, "How We Voted in 2022: Survey of the Performance of American Elections," Final Report (Boston: Massachusetts Institute of Technology), 7, <https://electionlab.mit.edu/sites/default/files/2023-05/How-We-Voted-In-2022.pdf>.

14. Paul Gronke et al., "Convenience Voting," *Annual Review of Political Science* 11 (2008): 437–55; Paul Gronke, "Early Voting Reforms and American Elections," *William and Mary Bill of Rights Journal* 17, no. 2 (2008): 423–51; Elizabeth Bergman and Philip Yates, "Changing Election Methods: How Does Mandated Vote-by-Mail Affect Individual Registrants?" *Election Law Journal* 10 (2011): 115–17; Marc Meredith and Neil Malhotra, "Convenience Voting Can Affect Election Outcomes," *Election Law Journal* 10, no. 3 (2011): 227–53; Michael Hernandez, "All-Mail Elections," National Conference of State Legislatures, *Legisbrief* 22, no. 35 (September 2014), <https://www.ncsl.org/research/elections-and-campaigns/all-mail-elections635457869.aspx>; Barry Burden et al., "Election Laws, Mobilization, and Turnout: The Unanticipated Consequences of Election Reform," *American Journal of Political Science* 58 (2014): 95–109; Andrew Menger, Robert Stein, and Greg Vonnahme, "Reducing the Undervote with Vote by Mail," *American Politics Research* 46 (2017): 267–85; Alan Gerber, Gregory Huber, and Seth Hill, "Identifying the Effect of All-Mail Elections on Turnout: Staggered Reform in the Evergreen State," *Political Science Research and Methods* 1, no. 1 (2013): 91–116; US Government Accountability Office, "Elections: Issues Related to Registering Voters and Administering Elections," June 2016, GAO-16-630.

15. Kevin Schaul, Kate Rabinowitz, and Ted Melnik, "2020 Turnout is the Highest in Over a Century," *Washington Post*, November 5, 2020.

16. Gronke et al., "Convenience Voting"; Gronke, "Early Voting Reforms"; Brady and McNulty, "Turning Out to Vote"; Bergman and Yates, "Changing Election Methods"; Charles Stewart, "Adding Up the Costs and Benefits of Voting by Mail," *Election Law Journal* 10, no. 3 (2011): 297–301; Barry Burden and Jacob Neiheisel, "Election Administration and the Pure Effect of Registration on Turnout," *Political Research Quarterly* 66, no. 1 (2013): 77–90; Burden et al., "Election Laws"; Jan Leighley and Jonathan Nagler, *Who Votes Now? Demographics, Issues, Inequality, and Turnout in the United States* (Princeton: Princeton University Press, 2014); Barry Burden and Brian Gaines, "Presidential Commission on Electoral Administration: Absentee and Early Voting: Weighing the Costs of Convenience," *Election Law Journal* 14, no. 1 (2015): 32–37.

17. Stewart, "How We Voted in 2022."

18. Alan Gerber, Donald Green, and Ron Sachar, "Voting May Be Habit-Forming: Evidence from a Randomized Field Experiment," *American Journal of Political Science* 47, no. 3 (2003): 540–50; John McNulty, Conor Dowling, and Margaret Ariotti, "Driving Saints to Sin: How Increasing the Difficulty of Voting Dissuades Even the Most Motivated Voters," *Political Analysis* 17 (Autumn 2009): 435–55; Brady and McNulty, "Turning Out to Vote."

19. James G. Gimpel and Jason Schuknecht, "Political Participation and the Accessibility of the Ballot Box," *Political Geography* 22 (2003): 471–88; Joshua Dyck and James Gimpel, "Distance, Turnout, and the Convenience of Voting," *Social Science Quarterly* 86 (2005): 531–48; Moshe Haspel and Gibbs Knotts, "Location, Location, Location: Precinct Placement and the Costs of Voting," *Journal of Politics* 67 (2005): 560–73; Robert Stein and Greg Vonnahme, "Engaging the Unengaged Voter: Vote Centers and Voter Turnout," *Journal of Politics* 70, no. 2 (2012): 487–97; Jesse Yoder, "How Polling Place Changes Reduce Turnout: Evidence from Administrative Data in North Carolina," *Social Science Research Network*, May 30, 2018, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3178184.

20. *Mi Familia Vota v. Hobbs*, US District Court for the District of Arizona, Case No. 2:22-cv-00509-PHX-SRB (2023); "Vote By Mail in Native American Communities," *Native*

American Rights Fund, <https://www.narf.org/vote-by-mail/>; Schroedel, *Voting in Indian Country*; *Voto Latino v. Hobbs*, US District Court for the District of Arizona, Case No. CV-05685-PHX-DWL (2020).

21. Steven Ansolabehere, Expert Report in the case of *Voto Latino et al. v. Hobbs*, US District Court for the District of Arizona, Case No. 2:19-cv-05685-DWL (2020); Tucker, De León, and McCool, “Obstacles at Every Turn,” 27–34; Gerald Webster, “An Evaluation of the Effects of Adding a Second Voter Registration/Polling Site in Three Montana Counties,” Expert Report in *Wandering Medicine et al. v. McCulloch et al.*, US District Court for the District of Montana, Case No. 1:2012cv00135 (2012).

22. Jonathan Nez, Testimony for the US House of Representatives, Hearing before the Subcommittee on Elections, Committee on Administration, 116th Congress, First Session, Oct. 1 (2019), 103.

23. US Government Accountability Office, “Roads on Tribal Lands,” USGS Watchblog, June 28, 2018, <https://blog.gao.gov/2018/06/28/roads-on-tribal-lands/>.

24. Timothy Davis (Blackfeet), quoted in Testimony before the Montana Advisory Committee to the US Commission on Civil Rights, Hearing Transcript (2021), 8, https://securisync.intermedia.net/us2/s/folder?public_share=409J0xbKeIQ2vuMJBvQond0011ef58&id=L01UL05hdGl2ZSBBbWVyaWNhbiBWb3RpbmcgUmlnaHRzLzIwMjFfMDNfMDI%3D.

25. Brady, Verba, and Schlozman, “Beyond SES.”

26. Raymond Wolfinger and Steven Rosenstone, *Who Votes?* (New Haven: Yale University Press, 1980); Linda Faye Williams, “The Issue of Our Time: Economic Inequality and Political Power in America,” *Perspectives on Politics* 2, no. 4 (2004): 683–89; Brady and McNulty, “Turning Out to Vote”; Leighley and Nagler, *Who Votes Now?*; Pie-te Lien, “Who Votes in Multiracial America? An Analysis of Voting Registration and Turnout by Race and Ethnicity,” *Black and Multiracial Politics in America*, ed. Yvette Alexander and Lawrence Hanks (New York: New York University Press, 2000).

27. Steven Tenn, “The Effect of Education on Voter Turnout,” *Political Analysis* 15, no. 4 (2007): 446–64; Rachel Sondheimer and Donald Green, “Using Experiments to Estimate the Effects of Education on Voter Turnout,” *American Journal of Political Science* 54, no. 1 (2010): 174–89.

28. Emily Shrider and John Creamer, “Poverty in the United States: 2022: Current Population Reports,” US Census Bureau, 4–10, <https://www.census.gov/content/dam/Census/library/publications/2023/demo/p60-280.pdf>.

29. US Census Bureau, Quick Facts, Navajo County and Apache County, 2023, <https://www.census.gov/quickfacts/fact/table/apachecountyarizona,navajocountyarizona/PST045223#PST045223>.

30. Montana Governor’s Office of Indian Affairs, 2019, State Tribal Economic Development Commission.

31. US Census Bureau, My Tribal Area, 2012–2020; US Census, Quick Facts, South Dakota, 2021.

32. Chuck Hoskin, quoted in Tucker, De León, and McCool, “Obstacles at Every Turn,” 37.

33. Pam Fessler and Elena Moore, “Signed, Sealed, Undelivered: Thousands of Mail-in Ballots Rejected for Tardiness,” *National Public Radio*, July 13, 2020, <https://www.npr.org/2020/07/13/889751095/signed-sealed-undelivered-thousands-of-mail-in-ballots-rejected-for-tardiness>.

34. Michael Herron, “Postal Delivery Disruptions and the Fragility of Voting by Mail: Lessons from Maine,” *Research and Politics* (January–March 2021): 1–12; Bipartisan Policy Center, “The New Realities of Voting by Mail in 2016,” June 2016, <https://bipartisanpolicy.org/wp-content/uploads/2019/03/BPC-Voting-By-Mail.pdf>.

35. Inspector General, US Postal Service, "Management Alert: Timeliness of Ballot Mail in the Milwaukee Processing and Distribution Center Service Area," Report Number 20-235-R20, July 7, 2020; *Democratic Party of Virginia v. Veal*, "Stipulation and Consent Order," US District Court for the Eastern District of Virginia, Richmond Division, Case No. 3:21-cv-671 (2021).
36. Postal Service Reform Act of 2022, 117th US Congress.
37. Tucker, De León, and McCool, "Obstacles at Every Turn," 93–102.
38. Ferguson-Bohnee, Testimony before the Senate.
39. Jean Schroedel, Melissa Rogers, and Joseph Dietrich, "Structural Racism, the USPS, and Voting by Mail On- and Off-Reservation in Arizona," *Studies in American Political Development* 37 (2023): 124. Also see, Melissa Rogers, Jean Schroedel, and Joseph Dietrich, "Inequalities in Vote by Mail for Native Americans in the US West: The Historical Political Economy of Postal Service in Northeastern Arizona," *Journal of Historical Political Economy* 2 (2022): 553–81.
40. National Conference of State Legislatures, "Table 10: Ballot Collection Laws" (2024), <https://www.ncsl.org/elections-and-campaigns/table-10-ballot-collection-laws>.
41. Jason Chaffetz, "Ballot Harvesting—California's Model to Steal 2020," *Fox News*, September 15, 2020; Michael Blood and Stephen Ohlemacher, "Democratic Sweep in California Raises GOP Suspicion," *AP News*, November 30, 2018, <https://apnews.com/article/3cfd93f7859149809949bd611287154e>; Morefield, "Ballot Harvesting"; *Federalist*, "How Ballot-Harvesting Became the New Way to Steal an Election," December 14, 2018, <https://thefederalist.com/2018/12/14/ballot-harvesting-became-new-way-steal-election/>; Andrew Eggers, Haritz Garro, and Justin Grimmer, "No Evidence for Systematic Voter Fraud: A Guide to Statistical Claims about the 2020 Election," *Proceedings of the National Academy of Sciences of the United States of America* 118, no. 45 (2021): 1–7.
42. Sami Edge and Sean Holstege, "Voter Fraud Is Not a Persistent Problem," *News21*, August 20, 2016, 2020, <https://votingwars.news21.com/voter-fraud-is-not-a-persistent-problem/>.
43. Edge and Holstege, "Voter Fraud."
44. Rudy Mehrbani, "Heritage Foundation Database: An Assessment," *Brennan Center for Justice*, September 8, 2017, <https://www.brennancenter.org/our-work/research-reports/heritage-fraud-database-assessment>.
45. These data are from the 2020 decennial census, and include all Native Americans in that state, not just those who live on reservations.
46. We examined these states for voter fraud cases associated with ballot collection; for the entire time period covered by the Heritage Foundation data (1980s to 2022), there were 216 voter fraud convictions (137 of them were in Minnesota). Of those, only twenty-one occurred during 2020–2022. None was associated with ballot collection. Since these data were compiled, the limitations on ballot collection in Montana were ruled a violation of the state constitution.
47. In Utah, ballot collection was primarily limited to the more remote areas of the Navajo Reservation. Utah outlawed ballot collection in 2020, even though there has never been a case of voter fraud associated with ballot collection in the state.
48. Amber McReynolds and Charles Stewart, "Let's Put the Vote-by-Mail 'Fraud' Myth to Rest," *The Hill*, April 28, 2020, <https://thehill.com/opinion/campaign/494189-lets-put-the-vote-by-mail-fraud-myth-to-rest/>.
49. Elise Viebeck, "Minuscule Number of Potentially Fraudulent Ballots in States with Universal Mail Voting Undercuts Trump Claims About Election Risks," *Washington Post*, June 8, 2020.
50. "The Myth of Voter Fraud," Brennan Center for Justice, <https://www.brennancenter.org/issues/ensure-every-american-can-vote/vote-suppression/myth-voter-fraud>; Alexa Corse, "Election Fraud Claims: A State-by-State Guide," *Wall Street Journal*, January 6, 2021; Yochai Benkler et al., "Mail-In Voter Fraud: Anatomy of a Disinformation Campaign," *Social Science Research Network*,

October 8, 2020, <https://cyber.harvard.edu/publication/2020/Mail-in-Voter-Fraud-Disinformation-2020>; Spenser Mestel, “How Claims of Voter Fraud Were Supercharged by Bad Science,” *MIT Technology Review*, November 1, 2020, <https://technologyreview.com/2020/11/01/1011519/election-voter-fraud-claims-bad-science-polling/>; McReynolds and Stewart, “Let’s Put”; Matt Barreto et al., “Debunking the Myth of Voter Fraud,” UCLA Voting Rights Project, University of New Mexico Center for Social Policy and Union of Concerned Scientists, April 14, 2020; Richard Hasen, *Election Meltdown: Dirty Tricks, Distrust, and the Threat to American Democracy* (New Haven: Yale University Press, 2020); David Cottrell, Michael Herron, and Sean Westwood, “An Exploration of Donald Trump’s Allegations of Massive Voter Fraud in the 2016 General Election,” *Electoral Studies* 51 (February 2018): 123–42; Michael Gilbert, “The Problem of Voter Fraud,” *Columbia Law Review* 115 (2015): 739–75; Richard Hasen, *The Voting Wars: From Florida 2000 to the Next Election Meltdown* (New Haven: Yale University Press, 2012); Lorraine Minnite, *The Myth of Voter Fraud* (Ithaca: Cornell University Press, 2010); Justine Levitt, “The Truth about Voter Fraud,” The Brennan Center for Justice, November 9, 2007, <https://www.brennancenter.org/our-work/research-reports/truth-about-voter-fraud>; Eric Lipton and Ian Urbina, “In Five-Year Effort, Scant Evidence of Voter Fraud,” *New York Times*, April 12, 2007.

51. Eggers, Garro, and Grimmer, “No Evidence.”

52. “Fact Check Reexamining How and Why Voter Fraud is Exceedingly Rare in the US ahead of the 2022 Midterms,” *Reuters*, June 2, 2022, <https://www.reuters.com/article/factcheck-fraud-elections/fact-check-re-examining-how-and-why-voter-fraud-is-exceedingly-rare-in-the-u-s-ahead-of-the-2022-midterms-idUSL1N2XP2AI>.

53. Ken Block, *Disproven: My Unbiased Search for Voter Fraud for the Trump Campaign, The Data that Shows Why He Lost, and How We Can Improve Our Elections* (Forefront Books, 2024), 17.

54. Kevin Pallister, “Voting Procedures: Inclusion versus Security,” in *Electoral Integrity in America: Securing Democracy*, ed. Pippa Norris, Sarah Cameron, and Thomas Wynter (New York: Oxford University Press, 2019), 47.

55. Benkler et al., “Mail-In Voter Fraud”; Mestel, “How Claims of Voter Fraud.”

56. Tucker, De León, and McCool, “Obstacles at Every Turn.” Also see Amy Gardner, Kate Rabinowitz, and Harry Stevens, “How GOP-Backed Voting Measures Could Create Hurdles for Tens of Millions of Voters,” *Washington Post*, March 11, 2021; Brennan Center for Justice, “State Voting Laws,” <https://www.brennancenter.org/issues/ensure-every-american-can-vote/voting-reform/state-voting-laws>.

57. Michael Carvin, On Behalf of Petitioner Arizona, Oral arguments before the US Supreme Court in the case of *Brnovich v. Democratic National Committee*, Case No. 19-1258, 8 (March 2, 2021).

58. *Montana Democratic Party v. Jacobsen*, Supreme Court of the State of Montana, DA 22-0667 (Filed March 27, 2024), 50.

