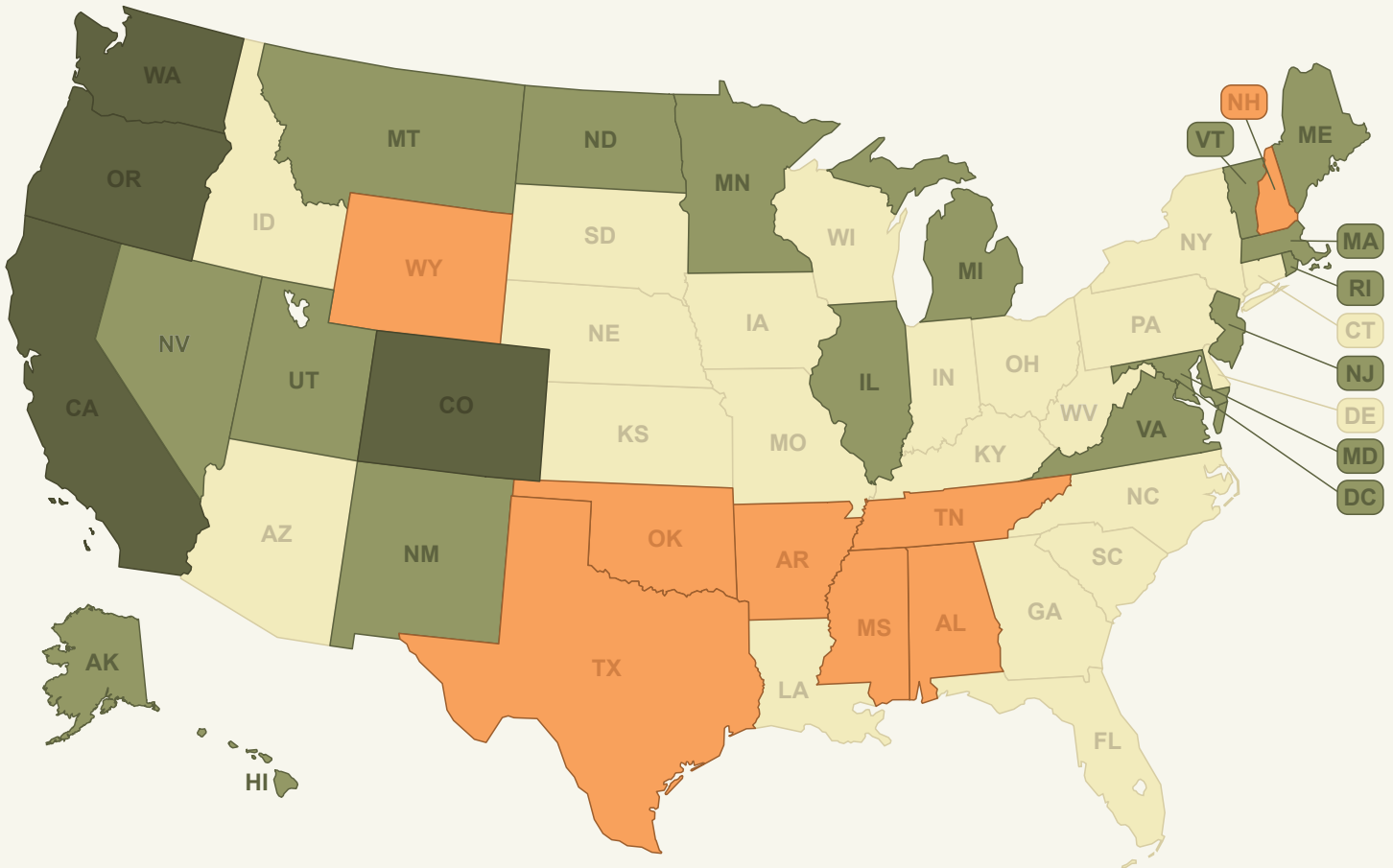


STATE OF DEMOCRACY: HOW ELECTION LAWS DIFFER ACROSS THE COUNTRY

October 2021



Overall Democracy Tally & Percentage of States by Category



This report was authored by:

Movement Advancement Project

MAP's mission is to provide independent and rigorous research, insight, and communications that help speed equality and opportunity for all people. MAP works to ensure that all people have a fair chance to pursue health and happiness, earn a living, take care of the ones they love, be safe in their communities, and participate in civic life. For more information, visit www.mapresearch.org.

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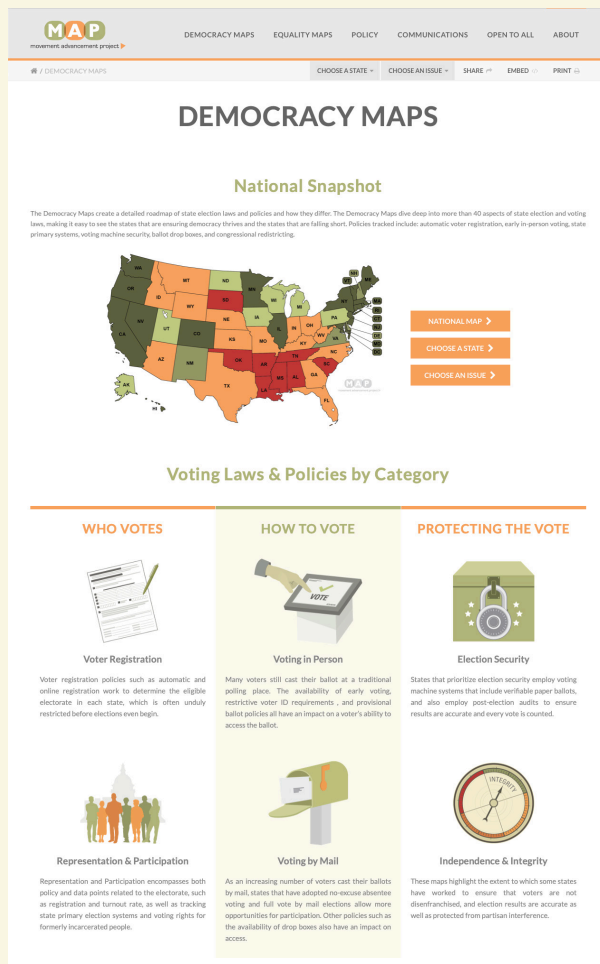
One for Democracy

One for Democracy is a coalition of individuals, foundations, and corporations pledging 1% of their assets towards strengthening democracy. For more information, or if you'd like to become a member, please reach out to Cindy Mathew at cindy@onefordemocracy.org.

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One For Democracy

www.onefordemocracy.org



Visit the new [Democracy Maps](http://www.mapresearch.org) to learn more, check out your own state, and see issue-by-issue maps.

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INTRODUCTION

Voting rights in the United States have always been contentious. Beginning in the 18th century when only white men who owned property could vote, through the fight for women's suffrage, and on to the Civil Rights movement of the 20th century and today, voting rights have never been guaranteed for all Americans. The Voting Rights Act of 1965 was a major victory; but its protections for voters have not lasted. In 2013, the U.S. Supreme Court overturned some of the most important provisions of the Voting Rights Act in *Shelby County*, and almost immediately, many states began implementing substantial changes to their election laws. Texas, for example, implemented a strict voter ID law and a gerrymandered legislative map.

This year, we are witnessing a similar trend, with many states formerly governed by the now-defunct requirements of the Voting Rights Act enacting new laws designed to create barriers to voting, particularly for historically disenfranchised groups including Black, Latino, and Native American voters. According to the Brennan Center, already in 2021, 18 states have passed 30 restrictive voting laws, with a number of those laws making broad changes to state election systems, as well as increasing the threat of election subversion.

The newly launched Democracy Maps from the Movement Advancement Project create a detailed roadmap of state election laws and policies and how they differ. The Democracy Maps dive deep into more than 40 aspects of state election and voting laws, making it easy to see the states that are ensuring democracy thrives and the states that are falling short. Policies tracked include: automatic voter registration, early in-person voting, state primary systems, voting machine security, ballot drop boxes, and congressional redistricting. Utilizing in-depth policy research, at-a-glance maps, and detailed state profiles, the Democracy Maps are a new tool for understanding election systems across the United States. This overview report analyzes data from the Democracy Maps and provides key findings about how states vary in terms of election policies, and what drives those differences.

WHAT ARE THE DEMOCRACY MAPS?

The Democracy Maps currently track 44 election laws, policies, and data points. At the time of this report, states are scored on a rubric with a maximum of 32.5 points overall, with positive policies generally receiving one point. Conversely, some laws and policies that are designed to make elections more partisan, or to unnecessarily limit voting and civic engagement, are scored as negative. This simple scoring method limits the subjectivity of attempting to "weight" each law and policy based on perceived or subjective importance. More detail about the scoring rubric is available on the maps' Methodology page.

The 44 policies are grouped into three categories: Who Votes, How to Vote, and Protecting the Vote. Each state's score is scaled based on the total points earned, resulting in a "High," "Medium," "Fair," "Low," or "Negative" rating. The Democracy Maps do not track actual enforcement of these policies, nor do they track bills introduced but not yet passed or other important measures of a state's democratic or electoral environment. Our data are freely accessible, transparent, and updated in real-time, and the Democracy Maps are freely embeddable for partner organizations, media, and policymakers.

Coming Soon! What's Not Yet Included:

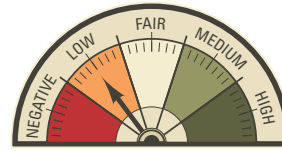
- Campaign Finance and Disclosure Laws
- Voter List Maintenance Policies
- Laws Protecting Against Voter Intimidation
- Ranked Choice Voting
- Overseas and Military Voting
- 3rd Party Ballot Access
- Ballot Initiatives

WHAT'S INCLUDED IN THE DEMOCRACY MAPS

Laws & Policies Tracked in the Democracy Tally

The Democracy Maps currently track 44 election laws, policies, and data points. Currently, states are scored on a rubric with a maximum of 32.5 points overall, with positive policies generally receiving one point (though a few very minor policies receive half a point). Conversely, some laws and policies that are designed to make elections more partisan, or to unnecessarily limit voting and civic engagement, are scored as negative.

Rating Scale: Out of 32.5 Points



- Negative <0
- Low 0 - 8
- Fair 8.1-16
- Medium 16.25 - 24
- High > 24

WHO VOTES



5
POINTS

Voter Registration

1. Automatic voter registration
2. Online voter registration
3. Registration deadlines
4. Pre-registration for 16 & 17 year-olds
5. Restrictions on voter registration drives
6. ERIC membership for voter list management

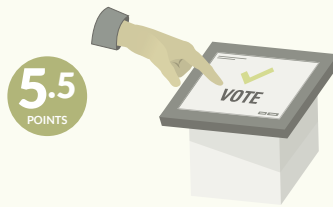


6
POINTS

Representation & Participation

7. National popular vote compact
8. Voting rights for formerly incarcerated people
9. Native American voting rights protections
10. Voter registration rate
11. Turnout rate
12. State primary election systems

HOW TO VOTE



5.5
POINTS

Voting in Person

13. Early voting availability
14. Voter identification requirements
15. Voting wait times and line length
16. Curbside voting
17. Vote centers (countywide polling place)
18. Provisional ballot policies
- 19-20. Election Day holidays or paid time off to vote



5
POINTS

Voting by Mail

21. Absentee voting availability
22. All-mail voting systems
23. Online ballot request availability
24. Prepaid postage for ballot return
25. Unnecessary additional steps to return ballot (e.g., notary required)
26. Permanent absentee ballot availability
27. Ballot deadlines (e.g., received by or mailed by election day?)
28. Drop box availability
29. Restrictions on third-party ballot collection

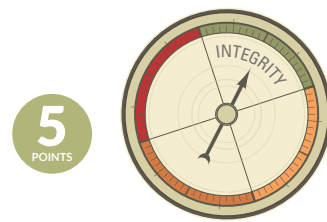
PROTECTING THE VOTE



6
POINTS

Election Security

30. Ballot tracking system in place
31. Mail ballot signature or identity verification
32. Ballot signature/cure (voter allowed to correct errors)
33. Voting machine security (paper ballots)
34. Post-election audits (validating election results)
35. Risk-limiting audits (confidence in election results)



5
POINTS

Independence & Integrity

36. Bans on philanthropic grants to election offices
37. Allowing absentee ballot pre-processing to avoid delays
38. State voting rights act in place
39. Voter Intent policies (standard for determining voter's choices on ballots)
40. Bans on firearms in polling places
41. Allowing non-partisan election observers
42. Independence of congressional redistricting
43. Laws allowing legislatures to interfere in elections
44. Criminalization of election administration (penalties against election officials for minor mistakes)

WHAT'S INCLUDED IN THE DEMOCRACY MAPS

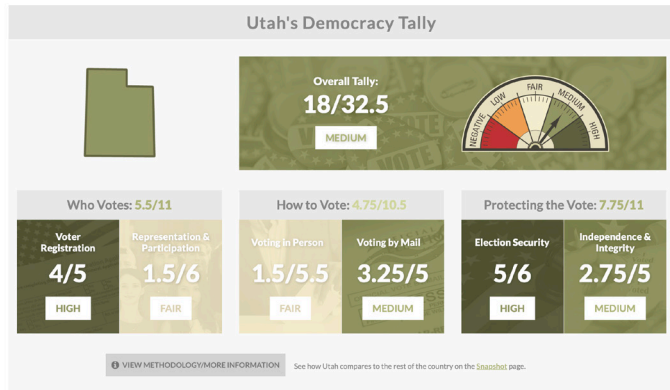
Individual State Profiles for All 50 States and the District of Columbia

MAP	DEMOCRACY MAPS	EQUALITY MAPS	POLICY	COMMUNICATIONS	OPEN TO ALL	ABOUT
Statement advancement project						
	CHOOSE A STATE	CHOOSE AN ISSUE	SHARE	EMBED	PRINT	

UTAH DEMOCRACY PROFILE

Quick Facts About Utah

Total Voting Eligible Population 2,191,487 <small>United States Election Project</small>	Total Turnout in 2020 Election 1,515,845 <small>United States Election Project</small>	Number of House Seats in 2022 4	Voter Affiliation 49% 15% 30% Rep Dem Ind
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Utah's Democracy and Election Laws and Policies

Click on each issue for more information and to see where the state fits into the national landscape.

KEY	✓ Indicates state law or policy	✓ Indicates local laws or policies and/or partial law	✗ Indicates no law or policy	— Enumeration not applicable
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Who Votes

Voter Registration	Score
	Law Exists? Tally
Automatic Voter Registration	✗ 0/1
Online Voter Registration	✓ 1/1
Registration Deadlines	✓ 1/1
Membership in Electronic Registration Information Center (ERIC)	✓ 1/1
Negative Law: Restrictions on Voter Registration Drives	✗ 0-1
Pre-registration for 16 and 17-year olds	✓ 1/1
Voter Registration Total	4/5

Representation & Participation	Score
	Law Exists? Tally
National Popular Vote Compact States	✗ 0/1
Native American Voting Protections	✗ 0/1
State Primary Election Systems	✗ 0/1
Voter Registration Rates	✓ 1/1
Voter Turnout Rates	✗ 0/1
Voting Rights for Formerly Incarcerated People	✓ 0.5/1
Voter Registration Total	1.5/6

How to Vote



VIEW METHODOLOGY/MORE INFORMATION

Voting in Person	Score
	Law Exists? Tally
Curbside Voting for Disabled Voters	✗ 0/0.5
Election Day Holidays and Paid Time Off to Vote	✓ 0.5/1
Early Voting Availability	✓ 1/1
Negative Law: Voting Wait Time and Line Length	— -1/-1
Provisional Ballot Policies	✓ 0.5/1
Availability of Vote Centers (county wide polling places)	✓ 1/1
Voter Identification Requirements for In-Person Voting	— -0.5/1
Voter Registration Total	1.5/5.5



VIEW METHODOLOGY/MORE INFORMATION

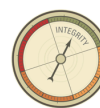
Voting by Mail	Score
	Law Exists? Tally
Availability of No-Excuse Absentee Voting	✗ 0/1
Vote by Mail Elections	✓ 1/1
Negative Law: Additional Steps to Return Mail Ballots	✗ 0/-1
Negative Law: Restrictions on Third Party Ballot Collection	— -0.25/-0.5
Ballot Drop Box Availability	✓ 0.5/0.5
Mail Ballot Receipt Deadlines	✓ 0.5/0.5
Prepaid Ballot Postage	✗ 0/0.5
Online Mail Ballot Application Availability	✓ 1/1
Permanent Absentee Voter List Availability	✓ 0.5/0.5
Voter Registration Total	3.25/5

Protecting the Vote



VIEW METHODOLOGY/MORE INFORMATION

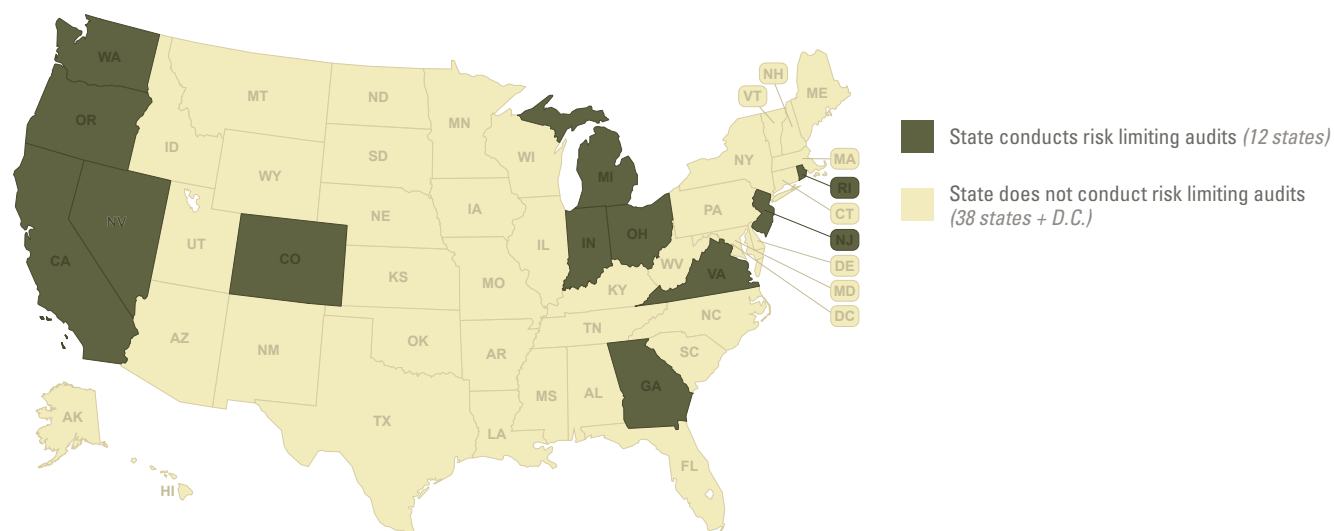
Election Security	Score
	Law Exists? Tally
Ballot & Signature Cure Availability (Opportunity for Voter to Correct Errors)	✓ 1/1
Online Ballot Tracking Availability	✓ 1/1
Methods of Mail Ballot Verification	✓ 1/1
Security of Voting Machines (Hand Marked Paper Ballots)	✓ 1/1
Post-Election Audit Requirements	✓ 1/1
Risk-Limiting Audits	✗ 0/1
Voter Registration Total	5/6



VIEW METHODOLOGY/MORE INFORMATION

Independence & Integrity	Score
	Law Exists? Tally
Negative Law: Criminalization of Election Administration (Criminal Penalties Against Election Officials)	✗ 0/-1.0
Negative Law: Legislative Interference in Election Administration	✗ 0/-1
Absentee Ballot Pre-Processing Allowed	✓ 1/1
Bans on Guns in Polling Places	✗ 0/0.5
State Level Voting Rights Acts	✗ 0/1
Voter Intent Laws	✓ 0.5/0.5
Independence of State Congressional Redistricting	✓ 0.25/1
Nonpartisan Election Observation Policies	✓ 1/1
Negative Law: Bans on Private Grants to Election Officials	✗ 0/-1
Voter Registration Total	2.75/5

Maps for Each of the 44 Tracked Policies—All Embeddable



Top	Voter Registration	Representation & Participation	Voting in Person	Voting by Mail	Election Security	Independence & Integrity	
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Methodology

The Democracy Maps create a detailed roadmap of state election laws and policies and how they differ. The Democracy Maps dive deep into more than 40 aspects of state election and voting laws, making it easy to see the states that are ensuring democracy thrives and the states that are falling short. The major categories of laws covered by the policy tally include:

- Voter Registration
- Representation & Participation
- Voting in Person
- Voting by Mail
- Election Security
- Independence & Integrity

Across these six categories, each positive law counts as a maximum of a single point, with variations reflected by fractions of a point. A state's Democracy Tally is reduced by a point in some areas where the state has a negative law. The current maximum Democracy Tally for a state is 32.5.

Voter Registration

Automatic Voter Registration		
Definition	Level of State Law	Corresponding Point Value
Automatic voter registration is a policy that modernizes the voter registration process by automatically registering eligible voters through their interactions with state agencies, most commonly when people apply for or renew their driver's licenses. Automatic voter registration helps to make sure that every eligible voter has access to vote, as well as strengthening the security and accuracy of our election systems.	State does not have automatic voter registration	0
	State has automatic voter registration	1
Online Voter Registration		
Definition	Level of State Law	Corresponding Point Value
Online voter registration is a policy that	State does not have online voter	0

KEY FINDINGS FROM THE DEMOCRACY MAPS

The Democracy Maps and the vast data that fuel them provide opportunities to identify broad trends across the states as well as to identify specific areas of strength or opportunities for change.

1. Access to Democracy Varies Greatly by State

Looking at all the election laws and policies tracked by the Democracy Maps reveals great variation across the states.

- **Only four states have High Democracy Tallies.** The state of Washington, with 29.5 total points, currently leads the country in laws and policies that help to advance democracy. Only four states in total have High Democracy Tally scores: Colorado, Washington, California, and Oregon. These states have 75% or more of the total possible points.
- **18 states have Medium Democracy Tallies.** These states have scores between 50%-74% of total possible points.
- **Most states fall into the Fair category.** As shown in *Table 1* on the next page, 21 states fall into the Fair category, with Democracy Tally scores falling between 25%-49% of total possible points.
- **Eight states fall into the Low category.** Mississippi's election laws and policies together only total 2.5 points, the lowest of any state. Seven other states fall into the Low Democracy Tally, with scores of 0-24% of the total possible points: Alabama, Arkansas, New Hampshire, Oklahoma, Tennessee, Texas, and Wyoming.
- **Currently, no states fall into the Negative overall category.** While the Democracy Maps Tally can result in a negative score, no states currently are scored Negative in the Overall Tally. However, as discussed later in this report, four states do have a Negative score in the How to Vote category.

2. The Majority of Voters Live in States with a Low or Fair Democracy Tally

As shown in *Figure 1*, more than three in five voters (61%), as defined by the Voting Eligible Population, live in states that rate Low or Fair on our Democracy Tally. More than 36 million voters alone live in states with a Low Democracy Tally, meaning their state has fewer than 25% of the possible points. Only 17% of voters

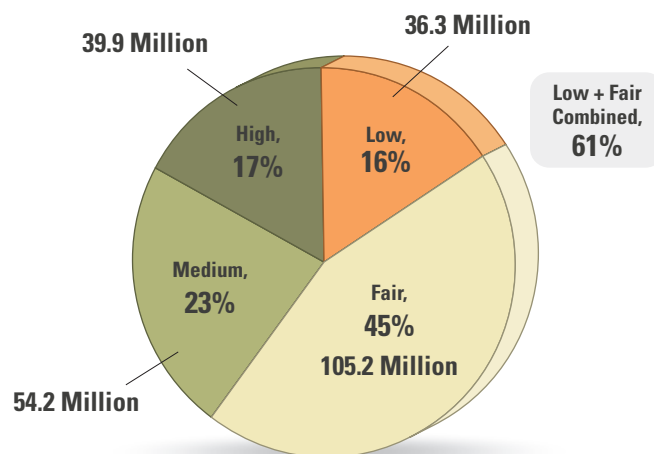
live in states with High scores. As it currently stands in the United States, a voter's access to democracy varies greatly based on where they live.

3. Access to Democracy Varies Greatly by Region

While there are variations within every region of the country, there are clear patterns that emerge when looking across regions, as shown in *Figure 2* and discussed in more detail below.

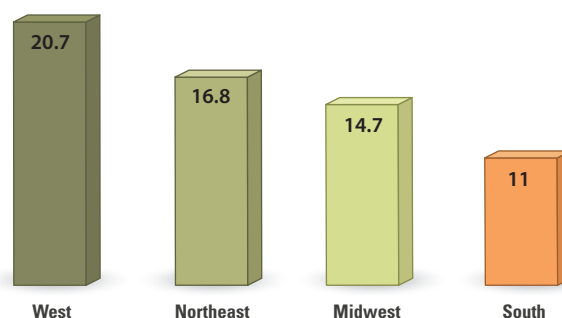
- **The majority of states in the South have Democracy Tally scores below 50%, putting them in the Fair or Low categories.**

Figure 1: Majority of Voters Live in States with Only a Low or Fair Democracy Tally
and % of Voting Eligible Population Living in States of Each Democracy Tally Category



Source: United States Election Project and MAP's Democracy Maps, as of 9/25/21.

Figure 2: Regions Differ in Their Average Democracy Tally
Average State Score by Region, Out of Possible 32.5 Points



Note: Regions as defined by U.S. Census Bureau 4-region division.
Source: MAP's Democracy Maps, as of 9/25/21.

Table 1: Democracy Tally by State from Lowest to Highest

	Overall Democracy Tally (out of 32.5)	Overall Democracy Category
Mississippi	2.5	Low
Arkansas	3.5	Low
Alabama	5.75	Low
Texas	6.25	Low
Tennessee	6.5	Low
Wyoming	7.25	Low
New Hampshire	8	Low
Oklahoma	8	Low
South Carolina	8.5	Fair
Missouri	10	Fair
Indiana	10.75	Fair
Louisiana	11	Fair
South Dakota	11.5	Fair
Georgia	11.5	Fair
Kansas	11.5	Fair
Kentucky	11.5	Fair
Idaho	11.75	Fair
West Virginia	12.25	Fair
Nebraska	13.25	Fair
Ohio	13.5	Fair
Wisconsin	14	Fair
North Carolina	14	Fair
Delaware	14	Fair
Florida	14.25	Fair
Iowa	14.75	Fair
New York	14.75	Fair

	Overall Democracy Tally (out of 32.5)	Overall Democracy Category
Pennsylvania	14.75	Fair
Arizona	15	Fair
Connecticut	15.25	Fair
North Dakota	16.5	Medium
Montana	17.25	Medium
Maine	17.25	Medium
Maryland	18.25	Medium
Massachusetts	18.5	Medium
Alaska	18.75	Medium
D.C.	19	Medium
Michigan	19	Medium
Minnesota	19.5	Medium
Rhode Island	20	Medium
New Jersey	20.25	Medium
Utah	20.5	Medium
Nevada	21	Medium
Virginia	21	Medium
New Mexico	21.5	Medium
Vermont	22.25	Medium
Illinois	22.25	Medium
Hawaii	24	Medium
Oregon	25	High
California	29	High
Colorado	29	High
Washington	29.5	High

Source: MAP's Democracy Maps, as of 9/25/21.

- **More than half of states in the Midwest region fall in the Fair category.** Though notably, the upper Midwest states and those surrounding Lake Michigan are more likely to fall into the Medium category. Illinois and Minnesota rank 5th and 13th in the overall Democracy Tally, respectively.
- **The majority of states in the Northeast fall into the Medium category.** Vermont ranks 6th in the overall Democracy Tally, while New Hampshire is an outlier in the region, ranking 45th overall.
- **Western States lead the country in our Democracy Tally.** All four states in the High category are in the West, and Western states represent six of the top 10 states overall. Wyoming is an outlier in the region, ranking 46th overall.

4. Largest Tally Disparities Between States are Driven by Laws and Policies Governing “How to Vote”

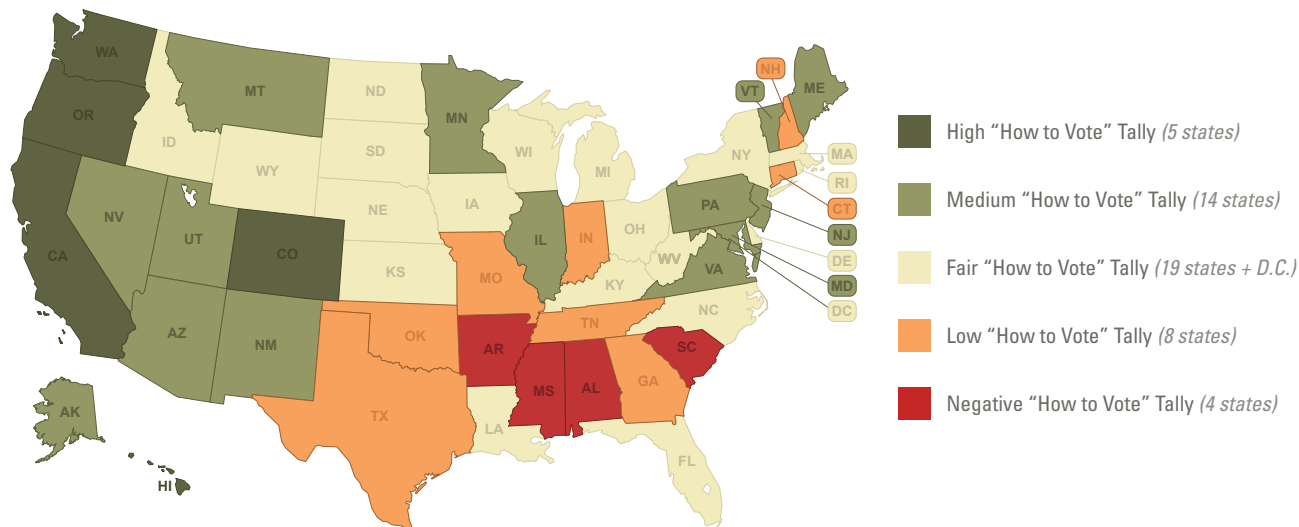
The Democracy Tally is inclusive of more than 40 election-related laws and policies, which can be broken into three key categories: Who Votes, How to Vote, and Protecting the Vote. Looking across the states and at the variation among states, several trends emerge.

- **Policies related to How to Vote drive the biggest variations seen across states in the Democracy Tally.** This category includes policies about voting in-person and voting by mail. Scores in this category

range from Alabama at -2 points to California, Colorado, and Hawaii at 9.5 points (out of 10.5 points total). These differences are driven primarily by policies that increase access, like mail voting, as well as negative policies such as restrictive voter ID laws.

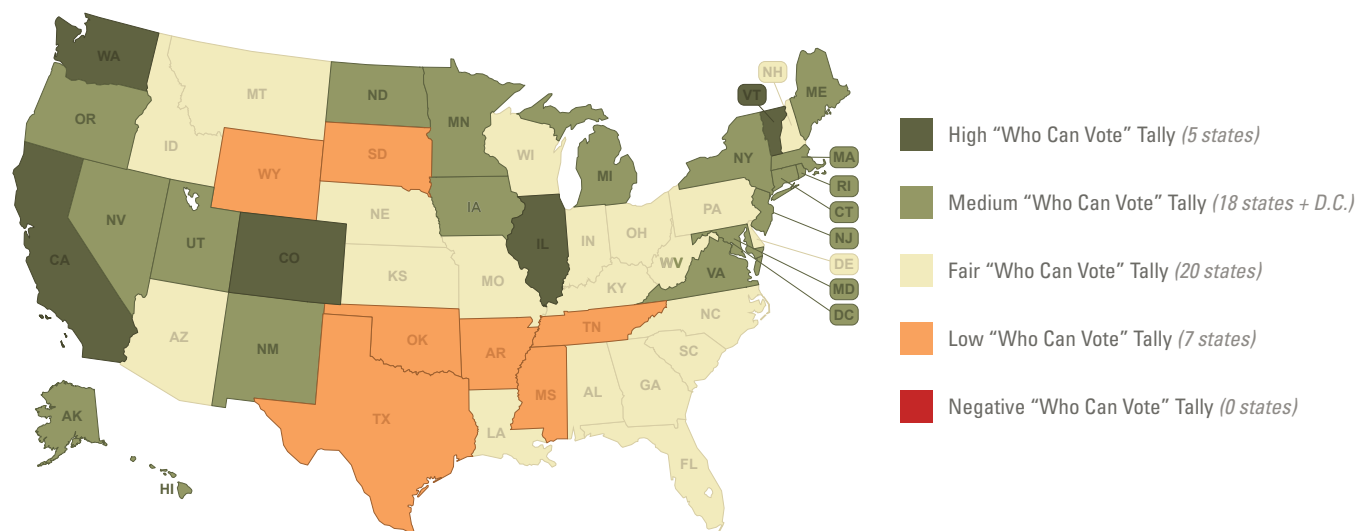
- **Four states have Negative scores in How to Vote.** These states are Alabama, Arkansas, Mississippi, and South Carolina. No other states have negative scores in the other two categories of Who Votes and Protecting the Vote. Eight additional states score Low in How to Vote, such as Tennessee and Texas that have especially low scores for policies related to mail voting. More states may have negative scores in the How to Vote category as Republican-controlled legislatures continue to target methods of voting that led to historic turnout in 2020—even as the country battled a pandemic. By enacting restrictive laws that impose harsh voter ID requirements, ban secure drop boxes, and generally make absentee and mail voting more difficult to access, these states become even less democratic.
- **Only five states have High scores in the How to Vote category, highlighting the need for improvement across much of the country.** A commonality among the states that perform well in the How to Vote category is full vote by mail elections, where every registered voter is sent a ballot without having to request one.

Figure 3: Tally of “How to Vote” Laws & Policies



Source: MAP’s Democracy Maps, as of 10/13/21.

Figure 4: Tally of “Who Can Vote” Laws & Policies



Source: MAP’s Democracy Maps, as of 10/13/21.

5. States Also Vary Widely in “Who Can Vote”

The Who Can Vote category encompasses voter registration policies as well as laws related to representation, including state primary election systems. These policies work to determine the eligible electorate in each state, which is often unduly restricted before elections even begin.

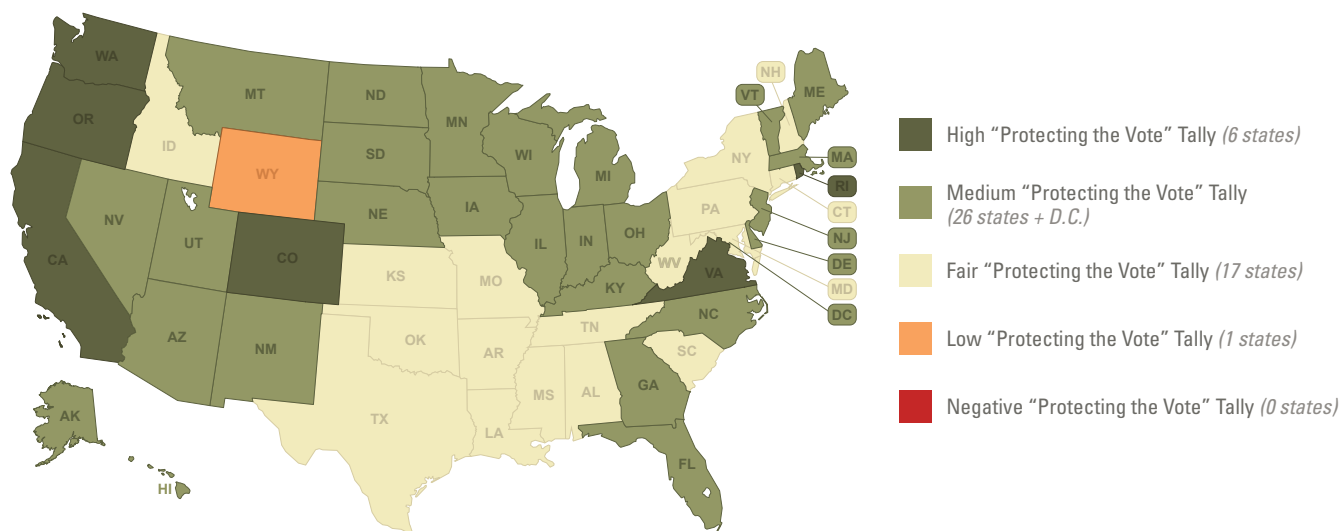
- Only five states score in the High category in Who Can Vote, while seven states rate as Low.
- States in the Low category include some of the few holdout states that have not implemented online voter registration. Additionally, these states restrict voting rights for formerly incarcerated citizens, and have not adopted modern policies like automatic voter registration.
- In contrast, the states that rank highly in this category allow Election Day voter registration and have higher than average voter registration rates.

6. States That Claim to Emphasize Election Security Fall Short

Many conversations about voting in 2020 and 2021 have focused on election security and the independence and integrity of the election systems across the country. The Democracy Maps and Democracy Tally highlight the extent to which some

states have worked to ensure that voters are not disenfranchised and election results are accurate as well as protected from partisan interference.

- **Only six states score High in terms of Protecting the Vote.** States scoring highly in this category have adopted risk-limiting post-election audits as well as security measures relating to voting machines and mail voting, such as ballot tracking.
- **Only one state falls into the Low category: Wyoming.** This poor performance is primarily due to a lack of any post-election audit policies, as well as an absence of security features related to mail voting.
- **Republican states score below average in Protecting the Vote.** Despite recent rhetoric in many Republican states that uses a supposed emphasis on security to enact restrictive voting policies, states with Republican trifectas or Republican controlled legislatures perform the worst in this category, making up nine of the bottom 10 states in Protecting the Vote. One example is Texas, which recently enacted legislation restricting voting methods used in the 2020 election yet ranks second to last in terms of Protecting the Vote. Despite their claims about election security, Texas lacks voting machines that provide auditable paper trails, and has not implemented risk-limiting audits.

Figure 5: Tally of “Protecting the Vote” Laws & Policies

Source: MAP’s Democracy Maps, as of 10/13/21.

7. States with the Most Restrictive Election Laws Have the Lowest Voter Turnout

The United States is often described as the world’s greatest democracy. However, even with record-breaking turnout in the 2020 election, the United States lags behind most other democratic countries in the world with respect to voter turnout. According to [analysis](#) done by the Pew Research Center in 2016, the United States ranked 30th out of 35 countries that were evaluated in terms of voter turnout.

- **States with Low Democracy Tallies also have lower voter turnout.** States that have laws and policies that make it needlessly difficult to vote and that compromise the integrity of their elections are also the states with the lowest voter turnout. Of the 10 states with the lowest [voter turnout](#) in 2020, seven also fall into the bottom 10 states in the Democracy Tally. Those states include (in order of lowest turnout): Oklahoma, Arkansas, Tennessee, Mississippi, Texas, Indiana, and Alabama. The gap in turnout between Minnesota, the state with the highest turnout in 2020, and Oklahoma, the lowest, is a full 25%; the gap between their Democracy Tally scores is 11.5 points. There is no doubt that restrictive voting laws lead to lower voter turnout—and therefore a less vibrant democracy.
- **Among the seven states in both the lowest 10 states by voter turnout and lowest 10 states by**

Democracy Tally scores, restrictions on absentee and mail voting are a key area of similarity. Only one of the seven states listed above, Oklahoma, allows for no excuse absentee voting. However, Oklahoma also restricts drop boxes and requires a notary signature to return an absentee ballot.

8. Republican-Controlled States Have the Lowest Democracy Tallies

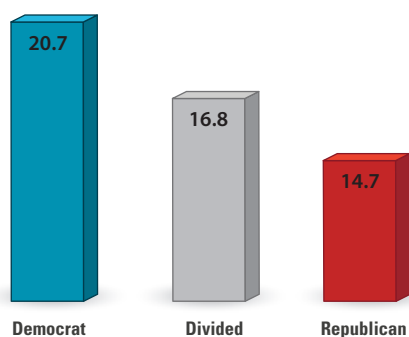
“Trifectas” refer to states where a single political party holds the governorship and both chambers of the state legislatures. At a basic level, when one party wholly controls the legislative process, they can make changes to election laws (and other types of law) essentially without significant opposition or the threat of a governor’s veto. As of this writing, [23 states](#) are controlled by Republican trifectas, 15 states are controlled by Democratic trifectas, and 12 states have a divided government.

- **Of the 23 states with a Republican trifecta, 83% (19 states) rank in the bottom half of our Democracy Tally.** All of these states fall in the Low or Fair categories.
- **The 10 lowest scoring states in the Democracy Maps are all currently controlled by a Republican trifecta** (starting from lowest score): Mississippi, Arkansas, Alabama, Texas, Tennessee, Wyoming, New Hampshire, Oklahoma, South Carolina, and Missouri.

Importantly, election laws and policies—like all areas of law—take many years to come into being, while the current partisan control of state governments is just that: current. However, 16 of the 23 states (70%) that are currently a Republican trifecta have been a Republican trifecta for at least 10 years.

Figure 6: Average Democracy Tally Differs by Partisan Control of State Government

Average State Score by Partisan Control, Out of Possible 32.5 Points



Note: Party control defined as trifecta control of both state legislative chambers and governorship, as of 9/25/21. Omits Nebraska due to nonpartisan state legislature. Source: MAP's Democracy Maps, as of 9/25/21.

9. States Formerly Covered by the Voting Rights Act Preclearance Requirements Perform Worse than Average in the Democracy Tally

When the federal Voting Rights Act was enacted in 1965, the law included provisions that required certain states to obtain federal approval (“preclearance”) before implementing changes to their election practices or procedures. The covered states as of 2013 were Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas, and Virginia. These states and many counties in other states were determined by a formula that examined restrictions on voting and low turnout. In 2013, the U.S. Supreme Court’s *Shelby County* decision declared this formula unconstitutional and removed the preclearance requirements for the covered jurisdictions.

- Despite the view of the U.S. Supreme Court that these preclearance requirements were no longer necessary, **the majority of the covered states still today have worse than average election systems as measured by the Democracy Tally.** Of the nine states formerly covered by the Voting Rights Act preclearance provisions at the time of the *Shelby*

County decision, seven currently rate Fair or Low on our Democracy Tally, and four of the former Voting Rights Act states rank among the 10 lowest scoring states in the Democracy Tally.

- **Virginia provides a rare positive example.** While previously required to obtain preclearance for voting law changes, over the last four years, Virginia has modernized its election and voting laws. The state now has the eighth highest score on our Democracy Maps.

10. Gaps in Policy Provide Room for Improvement and Room for Decline

This short report has focused on states that excel in certain policy areas and other states that fall behind. However, as reflected on the detailed Democracy Maps and in the many policies that undergird the policy tallies, many states have an opportunity to improve their election systems by implementing proven policies that elevate access as well as security.

- **Modernizing voter registration and restoring voting rights to formerly incarcerated citizens leads to improvements.** Many of the states that fall behind in the Who Can Vote category lack modern policies related to voter registration, including those that ensure historically disenfranchised voters are able to vote. For example, Montana, which ranks Medium overall but only Fair in Who Can Vote, can re-enact same day voter registration that was repealed this year, and adopt online and automatic voter registration.
- **States that temporarily allowed absentee and mail voting in 2020 should permanently adopt these policies.** Due to the COVID pandemic, many states temporarily relaxed restrictions related to mail voting in 2020. Connecticut allowed no excuse absentee voting in 2020 but Republicans in the state legislature have repeatedly blocked attempts to amend the state constitution to make this change permanent. Other states that temporarily allowed expanded, and then retracted, mail voting in 2020 include Delaware, Kentucky, Massachusetts, New Hampshire, and New York.
- **Risk-limiting post-election audits should be implemented in all states.** Risk-limiting audits, which use statistical methods to verify that votes are counted accurately, are generally recognized by experts as one of the strongest protections against

errors and hacking of election results. At the time of this writing, only 12 states conduct risk-limiting audits or have established a pilot program to do so. Risk-limiting audits are a common sense, nonpartisan policy solution that all states should support.

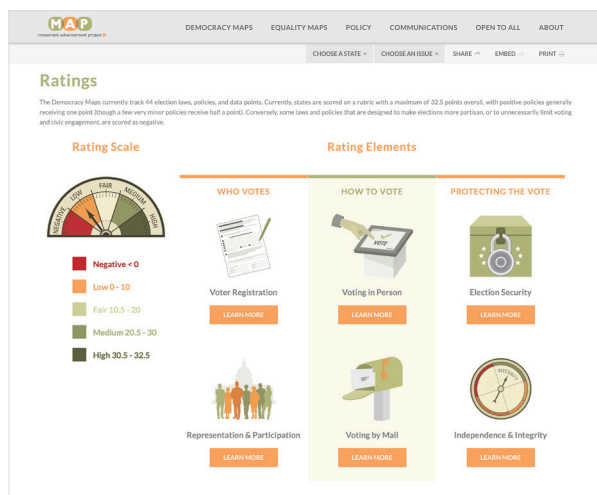
LOOKING AHEAD

As we head into another election year, there is no doubt that many states will continue to propose and pass restrictive voting measures. These efforts disenfranchise eligible voters, including voters of color, low-income voters, and voters experiencing homelessness, and increase the danger of election subversion. Most recently, Texas passed legislation that banned drive-through and 24-hour voting utilized by cities in the 2020 election, gave more power to partisan poll watchers to intimidate voters, and made it more difficult to assist disabled voters. Republicans in Michigan will soon propose a ballot measure that would enact restrictive voter ID policies for in-person and mail voting. Republicans in Pennsylvania have voted to subpoena personal details of every voter in the state as part of their conspiracy-driven investigation into the 2020 election. These threats to democracy will only increase as we near 2022 and some politicians seek to maintain or seize power at any cost.

There have also been promising developments in some states. Nevada and Vermont permanently adopted vote by mail elections, Hawaii will implement automatic voter registration, and Virginia enacted a state-level voting rights act. Through the Democracy Maps we will continue to hold up as examples the states preserving democracy—and shine a light on the states that seek to undermine it. As John F. Kennedy once warned: “Democracy is never a final achievement. It is a call to an untiring effort.” The new Democracy Maps provide a detailed, thorough, and comprehensive examination of election systems across the states and offer clear paths forward to ensure the strength and vitality of democracy in the United States.

LEARN MORE ABOUT THE DEMOCRACY MAPS

Visit the new [Democracy Maps](#) section of the MAP website to learn more.





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