

HOW ELECTION DENIALISM THREATENS OUR DEMOCRACY AND THE SAFEGUARDS WE NEED TO DEFEND IT

MAY 2023

Introduction

During the 2020 election and the period following, President Trump and his allies engaged in an unprecedented effort to overturn the valid results of the election, culminating in a violent insurrection at the Capitol on January 6th. Through false claims on social media, in interviews, and legal challenges, election deniers have continued to inject doubt into the minds of millions of Americans, weakening confidence in our democracy and emboldening efforts to pass anti-democratic laws. In the two years since the 2020 election, the election denial movement has grown in strength and

Election Denial Threats & Solutions

THREATS		SOLUTIONS
#1	 RESTRICTIVE VOTING MEASURES	<ul style="list-style-type: none"> ✓ Federal Legislation ✓ State Voting Rights Acts
#2	 ELECTION DENIERS WIN OFFICE	<ul style="list-style-type: none"> ✓ Nonpartisan Election Administration ✓ Professionalization of Election Administration ✓ Protections Against Insider Threats
#3	 THREATS OF VIOLENCE	<ul style="list-style-type: none"> ✓ Protecting Election Officials from Threats ✓ Increased Funding for Elections
#4	 INTERFERING WITH ELECTION RESULTS	<ul style="list-style-type: none"> ✓ Limiting Partisan Involvement in Post-Election Processes ✓ Increased Penalties for Election Subversion ✓ Limiting Frivolous Recount Requests
#5	 MISINFORMATION AND DECLINE IN VOTER CONFIDENCE	<ul style="list-style-type: none"> ✓ Transparency Measures ✓ Combatting Disinformation

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scope with leading members of the Republican party consistently and persistently promoting false theories of voter fraud, lost ballots, and rigged elections. The 2022 midterm elections offered a repudiation of election denialism in certain states, with the defeat of many election deniers running for governor, secretary of state, attorney general, and other key positions. Yet election deniers still won races across the country at the local, state and national level in 2022. In addition, the success and persistence of election denial claims reveal weaknesses in our democracy. Rather than breathing a sigh of relief at the fact that our democratic norms held, those interested in protecting our democracy should dedicate renewed effort to put in place policies designed to prevent election denialism and its adherents from gaining further power and abusing that power in future elections. This is especially true as the narratives of election denial increase leading up to the 2024 presidential election.

This report emphasizes five key threats that election denialism poses to the safety of our democracy. It then examines and proposes proactive solutions and steps to fight against the rise in election denialism before it is too late.

Eight Senators and 139 Representatives in Congress voted against certifying the 2020 election.

What is Election Denialism?

Election denialism can be defined broadly as a rejection of democracy and the will of the people as part of an attempt to subvert or overturn the legitimate results of an election. It often relies on blatant falsehoods and conspiracy theories, which are supported by the far-right media. This ideology undermines the fundamental principle of democracy, which is free and fair elections. Specifically, election deniers can be defined as individuals who: claimed the 2020 election or others were “stolen,” repeated false claims of fraud, signed onto lawsuits seeking to overturn elections based on false claims, or even took official action to try to overturn legitimate election results, such as in the case of [eight](#) Senators and 139 Representatives in Congress who voted against certifying the 2020 election.

Not only does election denialism further erode public trust in elections and institutions, but it feeds into a broader culture of violence and mistrust in government. An obvious example is the January 6th insurrection, but on a smaller scale, federal

law enforcement has [reported](#) receiving thousands of reports of threats against election officials following the 2020 election. In January 2023, in New Mexico, a Republican candidate for state legislature, who lost his election and claimed his election was rigged, [was indicted](#) on charges of allegedly orchestrating a series of drive-by shootings at the homes of Democratic officials in the state. Combatting election denialism is not only vital for the health of our democracy, but also for our safety as a nation.

What Happened to Election Deniers in the 2022 Election?

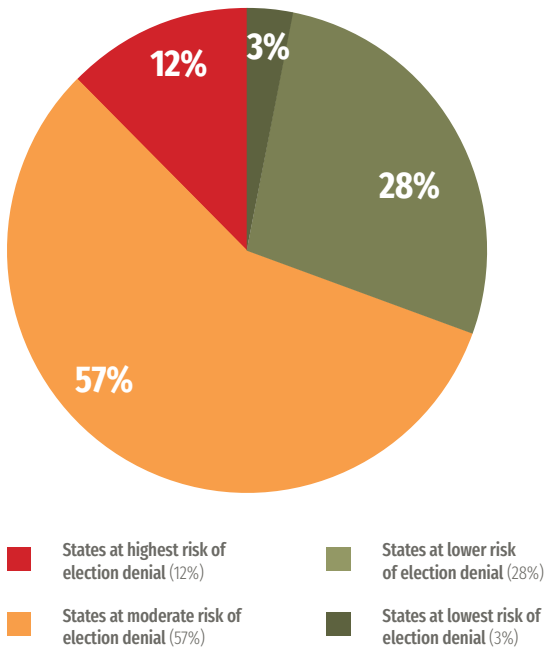
At least 300 election deniers ran for office across the country in 2022, with 60% of voters having an election denier appear on their ballot.

Riding the election denialism momentum of the 2020 election, according to the [Center for American Progress](#) and the Washington Post, at least 300 election deniers ran for office across the country in 2022, with 60% of voters having an election denier appear on their ballot. These numbers only represent statewide races for governors and secretaries of state, as well as congressional and senate seats; while exact statistics for the number of election deniers running for state legislative seats and other positions are not available, [surveys](#) done by NBC indicated that six out of ten Republican candidates for state legislatures in battleground states in 2022 were election deniers.

In 2022, a number of election denying candidates won re-election or newly took office, including seven Governors, three Secretaries of State, 150 congressional Representatives, and six U.S. Senators.

While many deniers in key races were defeated, a number of [these candidates did win re-election or newly took office](#), including seven Governors, three Secretaries of State, 150 congressional Representatives and six U.S. Senators. Losing candidates also continue to propagate the narrative of election denial. In Arizona, where the losing Republican candidates for Senate, Governor, Secretary of State and Attorney General all espoused election denial, the movement still has a firm hold. This is despite the [recent release](#) of

FIGURE 2: MORE THAN TWO THIRDS OF VOTERS LIVE IN STATES AT HIGH OR MODERATE RISK FROM ELECTION DENIAL



Source: Population data from U.S. Elections Project; MAP analysis of democracy and election laws and policies. Data as of April 2023.

Election Deniers Pose Real & Immediate Threats to Democracy That Must be Addressed

Election denialism and its adherents represent real and immediate threats to our democracy. There are five specific and dangerous threats election deniers and their adherents pose to our democracy. Rather than being reassured that many election deniers did not win their elections in 2022, it is critical that pro-democracy strategies are employed now to safeguard democracy. In the following pages, each threat is presented alongside targeted and specific recommendations.



#1: Restrictive Voting Measures and Anti-Democratic Legislation: Election deniers, particularly in state legislatures, continue to use false claims of election fraud to justify voting restrictions such as bans on ballot drop boxes and strict voter ID requirements.



#2: Election Deniers Win Critical Offices Where They Can Shape How Elections Are Administered:

While election-denying candidates for chief election official positions were largely defeated in swing states in 2022, some did win office in states such as Alabama, Indiana, and Wyoming. There was also an influx of election deniers in local election offices. These newly elected election deniers pose a threat to elections because they can now influence formerly routine processes like certification of results.



#3: Stoking Doubt, Harassment, and Even Violence Against Election Officials with the Goal of Interfering with Election Results:

When election deniers falsely claim that ballots were lost, altered, or stolen, this calls into question the integrity and efficacy of election officials. As a result, election officials across the country continue to face a stark increase in threats and harassment, as well as pressure from partisan actors to interfere with election results.



#4: Interference in Post-Election Processes to Subvert Elections:

Following the 2020 election, partisan actors attempted a [coordinated scheme](#) to overturn the legitimate results of the election, by attempting to submit fake slates of electoral college representatives and disrupt the certification process in Congress. While Congress has closed off one avenue for subversion of presidential elections through reform of the Electoral Count Act, vulnerabilities in post-election processes in the states remain a threat.



#5: Planting Doubt in the Minds of American Voters, Jeopardizing Democracy:

Voter confidence in elections, particularly among Republican voters, was at an all-time low following the 2020 election. This decline is both caused by and continues to propel the election denialism movement as part of a vicious cycle. Lawmakers and election officials must take proactive steps to stem this decline before it becomes irreversible and our democracy ceases to function.



Threat #1: Restrictive Voting Measures and Anti-Democratic Legislation

Election deniers, particularly those in state legislatures, have and will continue to use false narratives of election fraud to implement restrictive voting legislation, such as limiting vote by mail options, banning ballot drop boxes, and requiring strict voter ID measures. The 2020 election, held in the midst of the COVID pandemic, radically transformed the way we vote, with the number of voters choosing to cast absentee or mail ballots [almost doubling](#) as compared to 2016. The 2020 election also saw [record turnout](#), despite the challenges presented by the pandemic. Rather than celebrate this turnout, election denialists used false claims of fraud to pass an unprecedented array of new restrictions on voting, despite the continuing lack of any evidence of widespread fraud in our elections.

In 2021 and 2022 between the two years, over 850 restrictive voting bills were proposed in total, including in every single state.

In 2021, at least [34 restrictive voting laws](#) were passed in 19 states. 2022 continued the trend, with 11 restrictive laws enacted across eight states. Between the two years, over 850 restrictive voting bills [were proposed](#) in total, including in every single state. Among these restrictions are strict voter ID measures for in-person voting (now in place in [11 states](#)), bans on ballot drop boxes (now banned in [10 states](#)) and laws allowing state legislatures to interfere in election administration (now passed in [nine states](#)). Some states also passed omnibus bills that imposed a raft of provisions making it harder to vote. For example, an [omnibus bill](#) passed in Georgia in 2021 included provisions limiting access to ballot drop boxes, strict voter ID requirements for mail voters, a prohibition on mobile early voting locations, and allowing the state legislature to interfere with election administration, among other problematic changes.

This alarming trend has continued into the 2023 legislative sessions. As of April 2023, at least [360 bills](#) in 47 states have been introduced that would restrict voter access. Demonstrating this trend, the first election-related law enacted this year was a [voter ID bill](#) in Ohio that implements some of the strictest ID requirements in the country, requiring voters to present a photo ID at the polls. If a voter does not have an acceptable ID, they must vote using a provisional ballot, and in order for their ballot to be counted, they must provide proof

of ID to the Board of Elections within four days following Election Day. The new law has the [potential to disenfranchise](#) over 1 million Ohioans alone who have suspended driver's licenses. Other states have also already begun to pass restrictive bills this session: South Dakota enacted a ban on ballot drop boxes and Idaho eliminated the use of student ID cards for voting. There is no reason to think this trend will not continue in other states as the 2023 legislative sessions progress.

Solutions

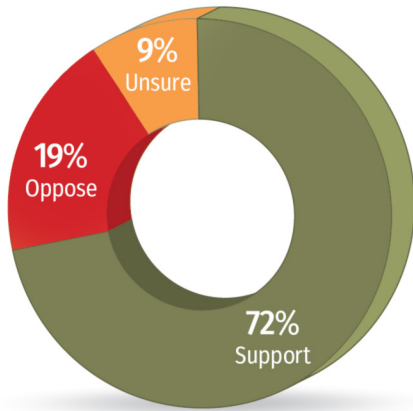
While the tide of voting restrictions across the country may seem difficult to stem, there are potential paths forward to protect access for voters at both the federal and state level. Existing proposals in Congress would establish national standards for elections and voting and greatly improve the level of access across the country. And a growing trend of state-level voting rights acts, as well as reforms implemented through direct democracy, have the potential to protect voting access in the absence of congressional action.

Federal Voting Legislation

Since the 2020 election, two landmark pieces of voting legislation have been introduced in Congress: the [Freedom to Vote Act](#) (FTVA) and the [John R. Lewis Act](#) (JRLA). Eventually, the two pieces of legislation were combined, and then passed by the House. However, the legislation stalled in the Senate in 2021. Since the 2022 midterms, when control of the House shifted to the Republicans, the legislation has yet to be reintroduced in the new Congress.

The first piece of legislation, the Freedom to Vote Act (FTVA), would create national standards for many election and voting-related policies across the states. These standards would impact several policy areas, including how voters are registered, in-person and mail voting, campaign finance, and post-election audits. The FTVA would simultaneously remedy the restrictive laws already in effect while also preventing further backsliding in the future. The legislation would also insulate elections from partisan interference by prohibiting the termination of local election officials without cause, increasing protections for these workers and requiring states to conduct nonpartisan, legitimate post-election audits to verify results. MAP's [analysis](#) also has shown that the FTVA would bring each state to at least a "Medium" in our Democracy Tally; all states would have at least 50% of the pro-democracy policies that we track in our Democracy Maps. The legislation has had broad public support; polling in 2021 showed that [72% of voters](#) supported passage, as shown in [Figure 3](#) on the next page.

FIGURE 3: NATIONAL SUPPORT FOR THE FREEDOM TO VOTE ACT



Source: Data for Progress poll conducted in November 2021

In addition to the national standards set by the FTVA, the John R. Lewis Act (JRLA) would restore the federal Voting Rights Act to full force, reversing decisions by the Supreme Court over the last ten years that have significantly weakened the law. Perhaps most significantly, the JRLA would reinstate the preclearance provisions of the Voting Rights Act, which formerly required certain states with a history of discrimination to obtain federal approval before implementing changes to their election and voting procedures. MAP’s analysis has shown that 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.

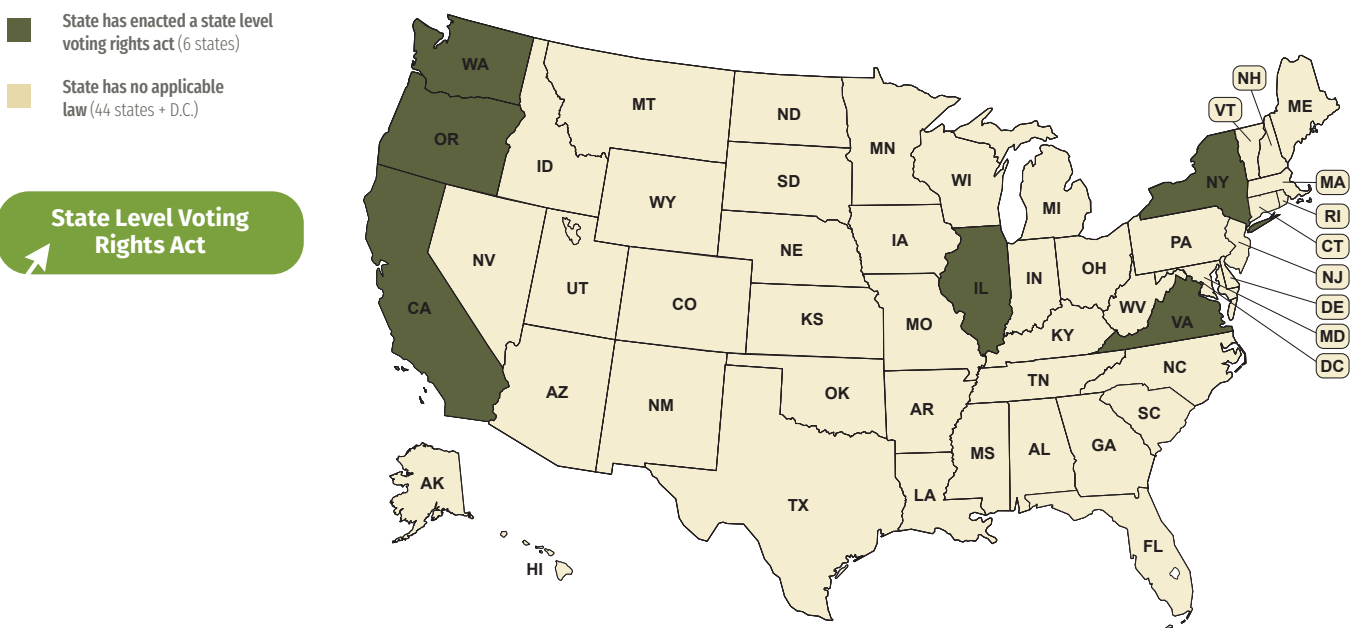
Congress should act now to pass both of these important pieces of legislation in order to level the playing field for democracy across the country and prevent election deniers from further restricting voting rights.

State Voting Rights Acts

Given the weakened federal Voting Rights Act, some states have taken steps to implement a similar law governing their state elections. Six states currently have their own voting rights acts, which differ in scope, but are generally modeled after provisions of the federal Voting Rights Act (as shown in Figure 4). These laws require local jurisdictions to receive clearance before implementing changes that could result in discrimination in elections, provide new legal tools to fight voter suppression in court, and create protections against voter suppression and intimidation.

The push to enact these laws in the states has gained momentum in recent years; last year New York became the sixth state to adopt a voting rights act. New York’s law is arguably the most comprehensive to date: it implements a preclearance program for local jurisdictions with a history of discrimination, establishes protections against voter intimidation and suppression, and expands language assistance for voters, among other provisions. **Other states should follow New York’s model to protect their democracies in the absence of congressional action.** These measures could be passed through state legislatures or through citizen ballot initiatives.

FIGURE 4: STATE LEVEL VOTING RIGHTS ACTS





Threat #2: Election Deniers Win Critical Offices Where They Can Shape How Elections Are Administered

As outlined earlier in this report, a large number of election deniers ran for elected office across the country in the 2022 midterms. Secretaries of State races, a position that is often the chief election official in their state, were on the ballot in [24 states](#) in 2022. Of those races, 22 featured an election-denying candidate in the primaries, and 11 of those candidates advanced to the general election. Fortunately, all but three of these candidates were defeated. However, three election deniers now hold power over elections in Alabama, Indiana and Wyoming.

Secretaries of state, as well as individual county and city clerks, often hold great power over state and local election systems. Some of these officials have also been influential in rejecting election denialism and subversion; following the 2020 election, Republican Secretary of State Brad Raffensperger of Georgia [resisted](#) the former president's pressure campaign to "find the votes" needed to claim illegitimate victory. The Georgia state legislature then [stripped him](#) of chairmanship over the State Board of Elections and seized power over the board for themselves.

Yet, other elected officials who have the responsibility to administer elections have chosen to wield their power in ways that advance election denialism and undermine the integrity and security of elections in their states. For example, in Alabama, the new Secretary of State Wes Allen [has acted](#) on a campaign promise to withdraw the state from the [Electronic Registration Information Center](#) (ERIC), using justifications based on right-wing conspiracy theories. This is despite the fact that ERIC is designed to promote election security, has bipartisan support and was championed by the former Republican Secretary of State in Alabama. Following Alabama's withdrawal, a continued [campaign of misinformation](#) has led an additional five states to withdraw from ERIC in the past year: Florida, Louisiana, Missouri, Ohio and West Virginia. And in Iowa, the Secretary of State recently announced the state's intention to withdraw from the program later this year. This exodus threatens to impact the effectiveness and continued existence of the organization, which depends on the sharing of information between states to function.

Although relatively few election deniers assumed chief election official positions in 2022, it is also clear that election deniers can run and win these positions. States should act

Direct Democracy in Michigan to Preserve Voter Access and Protect Democracy

In 2022, Michigan voters approved an amendment to the state constitution that implements a number of pro-democracy policies in the state. Notably, these were provisions that had failed to gain traction in the state legislature, which had been at least partially controlled by Republicans for almost 40 years prior to the 2022 midterm elections.

The measure enacts nine days of traditional [in-person early voting](#) (the state had previously only offered in-person absentee voting). Improvements to mail voting policies were also part of the measure, including codifying the use of [ballot drop boxes](#), requiring voters be able to correct errors with their mail ballots and providing [prepaid ballot postage](#). The amendments also incorporate requirements to ensure [post-election audits are conducted in a nonpartisan manner](#), and remove canvassing boards' ability to make partisan decisions involving certifying election results.

The last two provisions above, related to audits and vote canvassing, are perhaps the most important in the context of combatting election denialism. Also crucial is the fact these requirements are now enshrined in the state constitution, making the new laws much more difficult to overturn or amend. As a result of the ballot measure, [Michigan](#) is now the fifth highest ranked state on our Democracy Maps. The success of direct democracy efforts in the state provide a potential path forward for other states to combat election denialism even when their legislatures are unwilling to take action.

now to implement nonpartisan election administration structures, protect election systems from insider threats, and increase the professionalization of election administration.

Solutions

Nonpartisan Election Administration

The U.S. election system, which is highly decentralized, is also highly partisan. In [40 states](#), the chief election official is selected through a partisan process; 33 states hold partisan elections for their positions, and in an additional seven states, the state executive or the legislature appoints the chief election official. In seven of the 40 states with a chief election official, that official shares responsibility over elections with a board. The remaining 10 states without chief election officials have state election boards that have power over election administration. These state election boards are still structured around partisanship, with five designed to have equal numbers of Republicans and Democrats, and the other five allowing one political party to have a majority. While these state election boards are sometimes preferable to a single partisan official, they often result in deadlock, [as has been the case](#) with the Federal Election Commission, which has an equal partisan structure.

As there is no true nonpartisan election administration system currently in place in the U.S., international examples, as well as examples from the past, can serve as guides. The most successful attempt at nonpartisan administration in the U.S. was in Wisconsin's now defunct [Government Accountability Board](#). This Board was comprised of former judges, recommended by a panel of the Court of Appeals, appointed by the Governor, and confirmed by two-thirds vote of the state senate. Members of the board were prohibited from belonging to political parties or running for office. In the 10 years of its existence, the Board was [hailed](#) as the most successful example of nonpartisan election administration in the country. However, partisan politics quickly led to its demise. In 2016, after the Board investigated the former Governor Scott Walker for campaign finance violations, the legislature replaced the Board with the current Wisconsin Election Commission. The Commission is composed of three Republicans and three Democrats selected by the Governor and the legislature. Even the current partisan commission has faced ire from election deniers; the Republican gubernatorial candidate in the 2022 election [campaigned](#) on dissolving the commission, but lost his race.

Our international neighbors can also serve as a model for nonpartisan election administration. According to the International Institute for Democracy and Electoral Assistance, [over 70 world democracies](#) use nonpartisan election administration structures, making the U.S. an outlier. In [Canada](#), Chief Electoral Officers are responsible for election administration in the country's provinces and territories. These officials are not elected but appointed through outside commissions, similar to judicial nominating commissions used in some U.S. states. They are prohibited from running for political office and governed by standards of impartiality. The officers are also responsible for appointing local and regional officials, which in the U.S. are often partisan elected positions.

These examples, both from within the U.S. and without, show that nonpartisan election administration can work. States should implement systems modeled on these examples to proactively curtail the power of election deniers who are elected to public office.

Professionalization of Election Administration

States can also reduce the threat of election deniers presiding in key election roles by implementing more rigorous training and certification requirements. With the increasing complexity of administering elections, training requirements are essential to ensure elections are run properly. In addition, increasing the professionalization of election administration can increase the public's confidence in the election process while also decreasing politicization by preventing unqualified partisan actors from filling these roles. According to the National Conference of State Legislatures¹, 38 states have some form of training requirements for election officials, although these requirements vary widely. Washington state provides a [model](#) for election official training requirements that other states can follow. In Washington, each county is required to have two officials certified in election administration; certification is achieved through multiple courses and passage of a certification exam. Each county is also required to undergo certification reviews every five years. Other states have begun to adopt Washington's model; as part of the [law passed](#) in Colorado to combat internal threats discussed in this section, the state now requires one official in each county to complete a state certification program before being able to assume their duties. Other states are following Colorado and Washington's lead during the 2023 legislative session. [Legislation](#) passed by the New York Senate last month would

¹National Conference of State Legislatures, "[The Price of Democracy: Splitting the Bill for Elections.](#)"

mandate annual training for local election commissioners, as well as requiring existing experience in elections. **All states should implement robust training and certification requirements for local election officials in order to professionalize these positions and to help election administrators prepare for dealing with extreme partisan actors.**

Protections Against Insider Threats

Despite the majority of election deniers losing their races in the 2022 midterms, extreme partisan actors in election administration positions led to serious election security breaches in at least five states. Reporting by the [Washington Post](#) suggests that a legal team working for former President Trump orchestrated a coordinated plan to breach voting systems in at least three states—Georgia, Nevada, and Michigan. Evidence has emerged that this team was dispatched to Coffee County, Georgia, on the day following the attack on the Capitol. The team was reportedly allowed to make copies of essentially every aspect of the county's election system, an unprecedented breach.

Also notable is the case of Tina Peters, a county election clerk in Colorado, who faces trial on [ten criminal charges](#) for her role in a scheme to copy hard drives containing confidential voting data. The data was stolen in an attempt to validate false theories of election fraud. This breach later resulted in the data being published on third-party conspiracy websites. Despite being under indictment, Peters ran for the Republican nomination for Secretary of State, and following her loss in the primary election, continued to claim that voter fraud invalidated the results of her election, all while raising hundreds of thousands of dollars from private donors for a recount.

In Michigan, the failed Republican candidate for Attorney General in 2022, Matt Deperno, is a [subject of investigation](#) after he allegedly bragged about gaining access to voting equipment during a 2021 interview. In [Pennsylvania](#), state officials were forced to decertify voting machines after a rural county gave a third party technology firm unauthorized access to the equipment as part of a “forensic investigation” into former President Trump’s loss in the state in 2020.

Federal and state government entities must act now to respond to these insider threats. The first state to do so was Colorado. Following the notoriety of the Tina Peters case, Colorado passed a new law increasing internal election security measures. Provisions in the [new law](#) make it a felony to facilitate unauthorized access to voting equipment and require all county election clerks to install round-the-clock video surveillance of voting system components and key-card

access points to rooms where that equipment is kept. The federal Cybersecurity and Infrastructure Security Agency (CISA) has also responded to these insider threats, releasing guidance that urges all states to adopt policies similar to those of the new Colorado law. **States must act quickly to prevent bad faith actors from sabotaging the security of our elections from the inside. Implementation of proactive policies, such as the internal security law enacted in Colorado, can prevent disaster for our democracy in the future.**



Threat #3: Stoking Distrust, Harassment, and Even Violence Against Election Officials with the Goal of Interfering with Election Results

Threats to election officials have risen to unprecedented levels following the 2020 election. According to a [recent survey](#) by the Brennan Center, one in three election officials reported feeling unsafe because of their job, and one in five listed threats to their lives as a job-related concern. In [recent hearings](#) held by the U.S. Senate, a Justice Department official testified that the agency had reviewed more than 1,000 hostile threats directed at election officials in 2022 alone. In [Georgia](#), employees in a county elections office endured months of death threats, resulting in at least one staff person going into hiding. In [Pennsylvania](#), a Republican member of the Philadelphia election board faced a series of threats, including to his family. And just earlier this year, the election director in Cochise County, Arizona, a hotbed of election denial, [announced her resignation](#) after receiving threats and even being sued by the Republican board of supervisors in attempt to compel an illegal hand count of ballots.

A Justice Department official testified that the agency had reviewed more than 1,000 hostile threats directed at election officials in 2022 alone.

This alarming rise in violent threats has led to a mass exodus of qualified election officials. While the specific number of departures is not available in all states, the trend is clear: According to reporting by the [Associated Press](#) and the [New York Times](#), at least one-third of Pennsylvania’s county election officials have quit since November 2020 and at least one-quarter of election directors in southwest Ohio have recently quit. Similar numbers of resignations have occurred in Kansas, Michigan and Wisconsin. In August 2022, all three employees of the elections office in Gillespie

County, Texas resigned due to threats and harassment, leaving the office unstaffed less than three months before Election Day. Such an exodus accelerates the dangerous trend of election deniers seeking to fill these roles and further emboldens those promoting false theories of election fraud.

Solutions

Protecting Election Officials from Threats

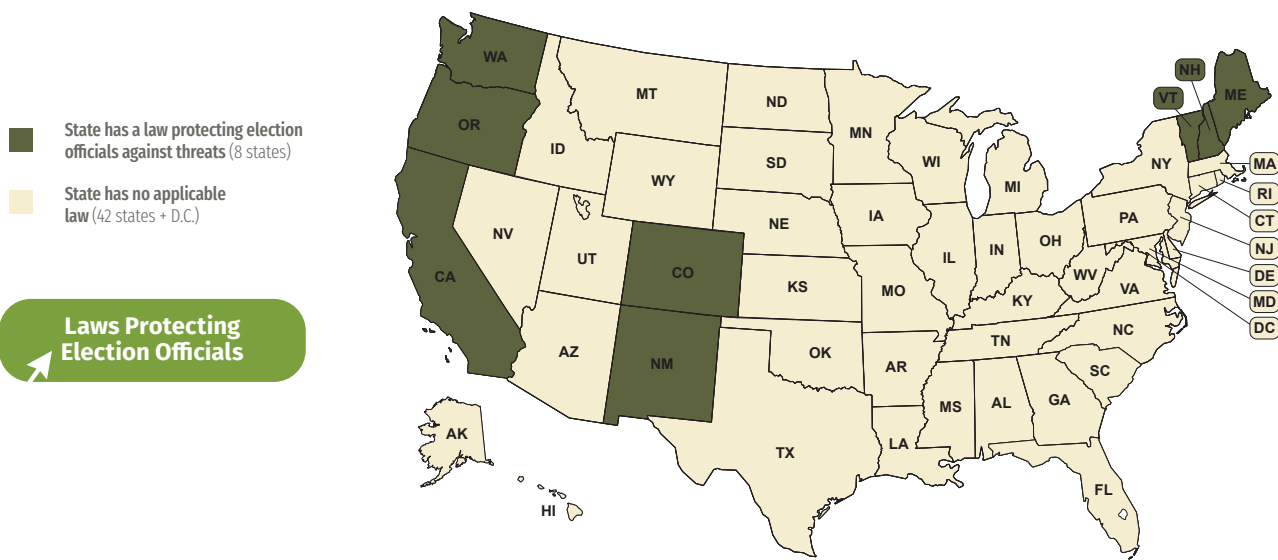
The federal government, along with a small number of states, has taken action to protect election officials. The Justice Department’s newly established [Election Threats Task Force](#) has initiated at least eight prosecutions since its inception. Federal law has stricter standards and penalties for prosecuting these kinds of threats, but some states have strengthened their generally applicable laws. As of this writing, [eight states](#) have enacted laws to create additional protections for election workers, as shown in [Figure 5](#). In Colorado, Secretary of State Jena Griswold sponsored passage of the [Election Official Protection Act](#), which strengthens the state law that prohibits interfering with an official’s work by adding language making it a crime to threaten or intimidate an election official. A new law in Maine makes it a crime to intentionally interfere, by any physical act, with a person performing an official function relating to a federal, state or municipal election. And in Oregon, a law passed this year allows election workers to have their address exempted from disclosure as a public record and establishes that the crime of harassment includes harassment against an election worker. While this is a new and emerging area of state law, every legislature is capable

of passing similar legislation. The thousands of officials across the country who run our elections do not deserve to live in fear simply for doing their jobs. **All levels of government can and should do more to protect the election officials who work so hard to protect and uphold our democracy.**

Increased Funding for Elections

An often overlooked factor in improving and protecting our election systems is funding. Increased funding can combat the dangers of election denialism and subversion by providing physical and cyber security measures, allowing states to replace outdated voting equipment, and increasing training and salaries for election officials. Our election infrastructure is severely underfunded. According to a recent [study](#) by MIT, government spending on elections ranks near the bottom of all categories of government spending, equivalent to funding for parking services. Federal funding allocations under the Help America Vote Act have provided important, but inconsistent infusions of resources to states, most recently in 2018 and 2020. While the previous two budget allocations amounted to over \$800 million, the most recent congressional budget only allocates \$75 million, a woefully inadequate amount. According to [analysis](#) by the Election Infrastructure Initiative, the most recent funding from Congress only amounts to less than \$0.30 per eligible voter; a recent [study](#) done by the same organization estimates that more than \$50 billion in funding is necessary over the next decade to modernize and increase the security of our election systems. **The federal government, as well as states, must prioritize funding for elections in order to protect and preserve our democracy.**

FIGURE 5: LAWS PROTECTING ELECTION OFFICIALS AGAINST THREATS





Threat #4: Interference in Post-Election Processes to Subvert Elections

Due to the rise in election denialism, post-election processes which were once considered routine are now subject to subversion efforts by partisan actors. Scattered efforts in multiple jurisdictions following the 2022 election could provide a preview for more coordinated efforts to disrupt the certification of results in the future. While [congressional reform](#) of the Electoral Count Act closes off one avenue for disruption of certification of presidential elections, vulnerabilities remain in the certification of state and local races.

Certification refers to the process that follows vote counting, when government authorities officially confirm the results of an election. In the majority of states, at the local and county level, this duty [is often given](#) to partisan officials or partisan local boards of election. Only six states and D.C. have systems where nonpartisan officials or bodies are responsible for certification at the local level². In two states, Colorado and Michigan, partisan bodies are responsible for certification, but those states have passed legislation protecting the certification process from partisan interference. During the 2022 election cycle, a small number of local bodies responsible for certification attempted to unlawfully disrupt these processes. In Otero County, New Mexico, local officials [refused](#) to certify primary election results based on conspiracy theories regarding voting machines; the state Supreme Court eventually compelled the officials to certify the results, but the Secretary of State expressed concerns that if the court order had not been followed, the votes may not have been counted. In Cochise County, Arizona, local officials [attempted](#) to force an unlawful hand count of ballots, and then voted not to certify results, again justifying their decision based on unfounded concerns about voting machines. Fortunately, a state court then ordered the officials to certify, which they did. But as in New Mexico, if a different set of circumstances occurred, election results could have been disrupted. Due to these uncertainties in post-election processes, states need to act now to amend their laws and policies to reduce reliance on partisan bodies in the certification process and to clarify that certification is a ministerial, non-discretionary duty. States should also consider measures to hold officials accountable when they abuse their official duties.

Solutions

Limiting role of partisan actors in post-election processes such as certification

In order to prevent partisan actors from disrupting vote certification at the state and local level, **state legislatures should clarify that certification is a ministerial, non-discretionary duty**. Some states, like [California](#) and [Colorado](#) already make this clear in their certification statutes, but [many state laws](#) are silent or unclear on this point. In Michigan, after [some counties refused](#) to certify results following the 2020 election, voters approved a ballot measure in 2022, which, among other provisions, made clear that certification is not discretionary. Again, citizen ballot initiatives can provide a path forward when state legislatures fail to act. By contrast, in states like [Georgia](#) and [Wisconsin](#), the law is unclear on what happens if there is a refusal to certify results. This is particularly dangerous in the context of election deniers running for statewide offices; the Republican gubernatorial candidate in Wisconsin in 2022 campaigned on dissolving the state election commission and taking over election administration duties, which could jeopardize the certification of results. In addition to clarifying certification processes, states should establish clear alternative avenues for resolving legitimate disputes over election results through the judiciary or nonpartisan administrative bodies. If these requirements are not clarified, the 2024 election could be set up for a larger scale effort across the states to disrupt vote certification.

Increased penalties for election subversion

States should add and/or increase penalties for election subversion by state and local officials. The law recently passed in Colorado to combat insider threats to elections again provides a potential model for other states to follow. The Colorado law adds new felony criminal penalties for accessing voting equipment without authorization and prohibits the release of confidential election information. The law also adds corrective measures: it prohibits any individual convicted of election-related criminal offenses from serving as an election official. Legislation [proposed](#) by Michigan's Secretary of State this year provides an alternative approach; the legislation would make it a criminal offense for any individual to pressure an election

²California, D.C., Hawaii, Massachusetts, New Hampshire, Oregon and Vermont. See Election Reformers Network report "[Who Certifies Elections in the U.S. and Abroad?](#)"

official to act illegally. In addition to state action, Congress can also act to increase penalties for election subversion. Prominent election law professor Rick Hasen has proposed imposing stronger criminal penalties within existing federal laws that prohibit obstruction of an official proceeding and fraud by election officials. It is critical for federal and state lawmakers to increase penalties for election subversion to deter these acts in the future.

Limiting frivolous recount requests

In addition to clarifying certification procedures, **states should also update policies governing election recounts and contests, in order to prevent frivolous requests from overwhelming local election officials and jurisdictions.**

Following the 2022 election in Pennsylvania, partisan actors made a [coordinated effort](#) to overwhelm counties with recount requests in order to delay certification of results, despite clear evidence that none of these contests would be altered by recounts. Recounts were sought in almost half the counties in the state, resulting in nine counties initially missing their deadline for certifying results. This led advocates and experts in the state to urge lawmakers to amend the recount law to require future recount requests be accompanied by specific claims of error or fraud. States that have provisions for automatic recounts should also set the threshold trigger for a recount to be only in the case of contests that are separated by vote margins of 0.5% or less. Finally, when recounts are requested by candidates or other third parties outside of the automatic recount process, states should require that recounts that do not result in a change in election results be paid for in full by the requestor³. In combination, these measures can deter frivolous requests, prevent overwhelm of local election offices, and reduce opportunities for misinformation resulting from delays in certification.

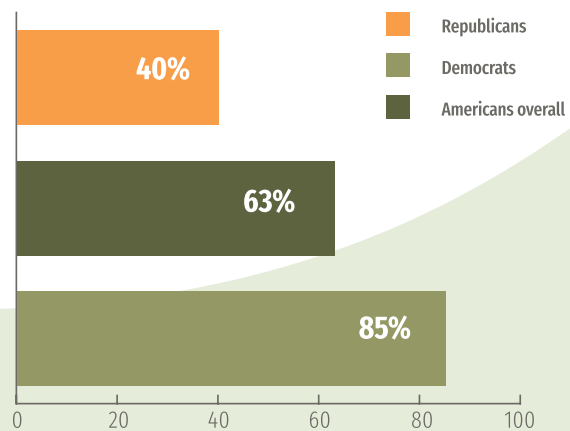


Threat #5: Planting Doubt in the Minds of American Voters, Jeopardizing Democracy

The final threat from election denialism comes not from the deniers themselves, but from a more existential problem: a massive decline in voter confidence. While voters tend to be more confident in local results, they often distrust results and officials in other states. As shown in [Figure 6](#), in a [Gallup poll](#) conducted in November 2022, only 63% of Americans reported being confident in election accuracy. There is also a massive partisan gap in voter confidence; while 85% of Democrats report being confident in election accuracy, only 40% of Republican respondents felt similarly, representing the largest partisan gap in confidence that Gallup has ever recorded.

This lack of confidence among voters, and the widening partisan gap, are both caused by and continue to propel election denialism, creating a vicious cycle. In addition to measures to prevent election deniers from taking and abusing power, voters must also have their confidence in elections restored if election denialism is to be defeated as an ideological force. The first steps are measures to increase transparency in elections through routine nonpartisan audits, requiring the use of verifiable paper ballots, as well as education campaigns to combat election-related misinformation.

FIGURE 6: NEARLY TWO-THIRDS OF AMERICANS HAVE CONFIDENCE IN ELECTION ACCURACY, BUT BIG SPLITS BY PARTY AFFILIATION EXIST



Source: Poll conducted by Gallup in November 2022

³See Appendix A for state by state details on recount policies.

Solutions

Transparency Measures: legitimate audits, paper ballots

Due in part to the decentralized and complex nature of election administration in the U.S., many voters lack an understanding of how elections work, which contributes to low confidence in elections. **States can improve transparency by conducting routine, public nonpartisan audits of results.** Post-election audits, when properly utilized, are a nonpartisan tool that allows states to verify the accuracy and performance of voting equipment and vote counting machines. In effect, a post-election audit is a partial recount of results, checking random samples of paper ballots or records against the results produced by the voting system. The audit verifies that the voting system accurately recorded and counted the votes. Properly conducted, nonpartisan and risk limiting audits can also identify potential anomalies in vote counts, and therefore act as a safeguard against hacking and foreign interference.

41 states and the District of Columbia currently utilize some form of post-election audits, as shown in **Figure 7**. In addition, risk-limiting audits, currently used in 13 states, represent the best practice in terms of audit methods (as shown in **Figure 8**). Risk-limiting audits are a form of audit that uses statistical methods to analyze random samples of ballots and verify the accuracy of election results. In a risk-limiting audit, the size of the random ballot sample is increased until there is statistical and objective confidence in the election results. Risk-limiting audits can also preserve resources and time as they operate by examining more ballots in the context of a close election, while less examination is needed to confirm statistical confidence in contests with wide margins. Legitimate post-election audits, specifically risk-limiting audits, are a commonsense policy solution that bolsters public confidence in election results and improves the security of election systems.

FIGURE 7: POST-ELECTION AUDITS REQUIRED

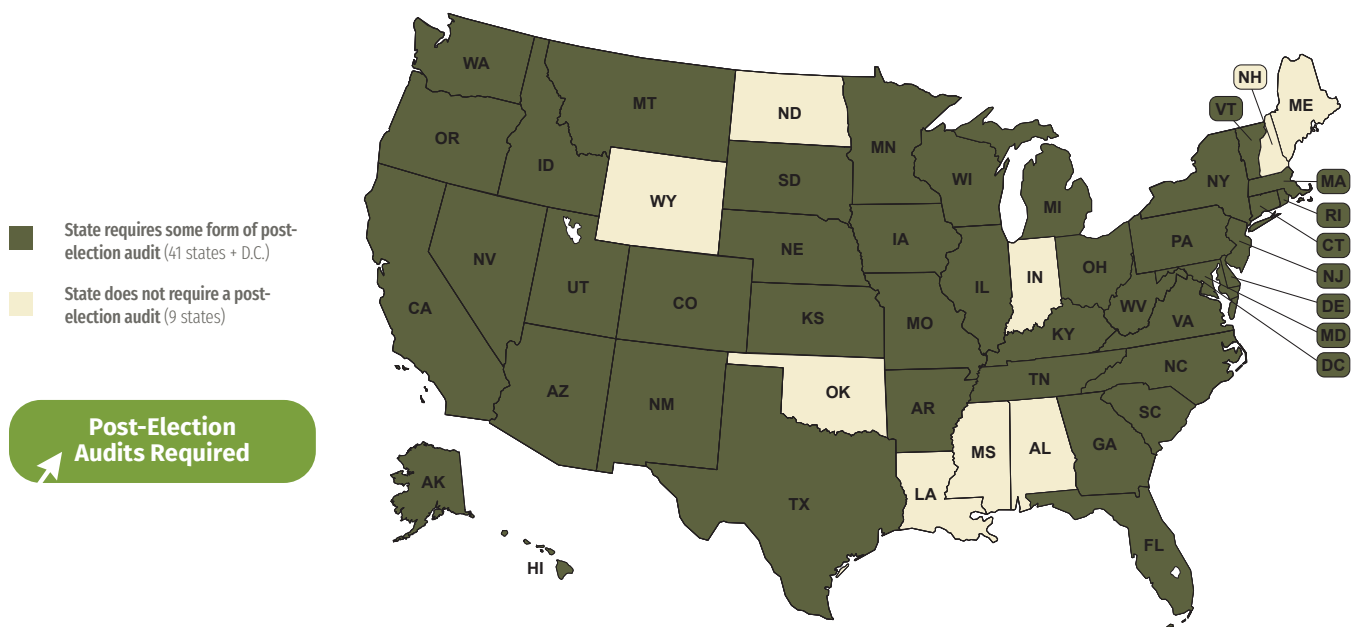


FIGURE 8: RISK-LIMITING AUDITS

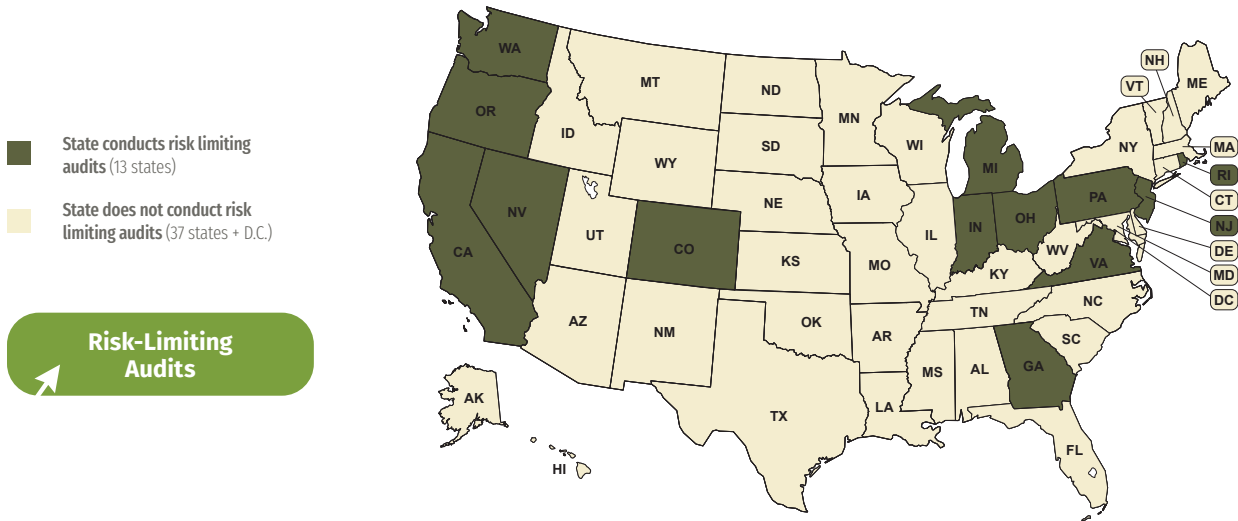
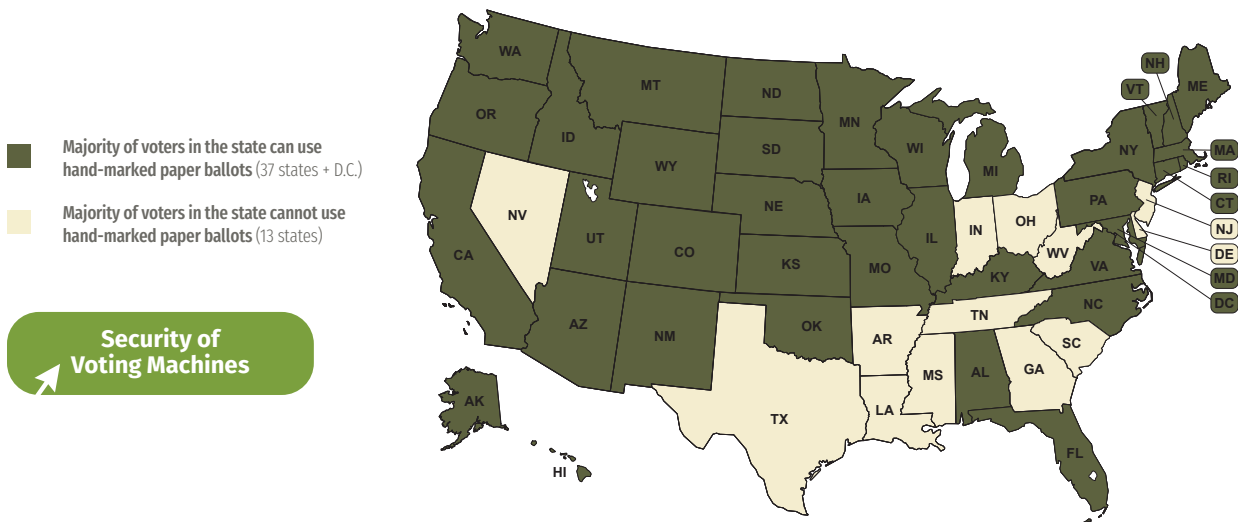


FIGURE 9: USE OF HAND-MARKED PAPER BALLOTS



In addition to post-election audits, states can also increase transparency as well the security of elections by requiring the use of verifiable paper ballots. States vary widely in the types of voting machines used for in-person voting. The most secure systems use paper ballots where the voter hand-marks their choices. Paper ballots are more resistant to tampering and potential external and internal security threats, and the paper trail they provide makes it easier to conduct routine audits to verify results. In 37 states and D.C., the majority of voters can utilize hand-marked paper ballots, as shown in **Figure 8**. But in 13 states, the majority of voters cast votes without utilizing hand-marked paper ballots.

In states that do not use hand-marked paper ballots for most voters, ballots are often cast on ballot marking devices (BMDs) or direct recording electronic systems (DREs). BMDs

are a type of voting machine through which a voter is presented with an electronic screen showing their ballot options, and then some form of a printed record is produced. Security experts have pointed out flaws with some BMDs in that they do not always produce a record that is verifiable by the voter--sometimes the resulting printout simply contains a barcode or other information that is not readable. BMDs were created as a result of requirements in federal law that all polling places have accessible options for disabled voters to be able to mark their ballot privately and independently, so it is important to maintain this option. However, some security experts recommend that when BMDs are used, they should produce a verifiable paper ballot rather than a summary or other information. For more information, the organization Verified Voting provides detailed data on the

types of voting machines used in every state and county. Together, the use of secure voting systems with paper ballots, along with strong audit procedures, can increase transparency, bolster voter confidence, and also protect results from subversion by partisan actors.

Combating disinformation

In the age of social media, disinformation poses an increasing threat across different sectors of our society, not in the least relating to elections. Following the 2020 election, a massive disinformation campaign by the former president and his allies birthed the election denialism movement which is the focus of this report. If election denialism is to be defeated, federal and state lawmakers must limit the spread of disinformation, punish those responsible, and promote trusted information about elections. While the threat of disinformation is a complex problem unlikely to be solved by government action alone, lawmakers can take steps in the right direction.

At the state level, **laws should prohibit the spread of false information related to the time, place and manner of elections, as well as voter qualifications.** An [existing law](#) passed in Virginia provides a model other states can follow: in Virginia it is a crime to knowingly communicate false information intended to impede the exercise of a voter's right to vote. The law also includes a private right of action for registered voters to whom such false information is communicated, enabling them to sue those responsible in civil court and seek an injunction. In addition to Virginia, at least eight other states have laws that prohibit the dissemination of false information relating to the time, place and manner of elections⁴. Combating disinformation is also a task suited to federal legislation. A [proposal](#) introduced in the Senate last year, the "Deceptive Practices and Voter Intimidation Prevention Act," would apply similar provisions to the law passed in Virginia to all 50 states.

In addition to punitive methods to combat disinformation, **states should invest in proactive education campaigns to head off and mitigate the spread of election-related disinformation.** As voters tend to have more trust in their local officials, these administrators can preempt conspiracy theories through voter education campaigns during the

Ballot Tracking for Mail Voting

With the rise in the use of absentee and mail ballots across the country since the 2020 election, ballot tracking technology is a commonsense policy that can improve election security while also increasing voter confidence. By allowing voters to track their ballots online, they can see where their ballot is situated in the election process, and be notified when their ballot is received, processed and counted. Ballot tracking also promotes increased election security; each ballot envelope is assigned a unique intelligent mail barcode, the same technology used for electronic package tracking. Voter privacy is also protected as only the ballot envelope is tracked while the vote inside remains confidential. Currently, all but five states have ballot tracking technology available for all voters statewide, and 85% of voters have access to ballot tracking.

election cycle. For example, the National Association of Secretaries of State's [Trusted Info Campaign](#) works to direct voters to the resources provided by their election officials, highlighting the officials as sources of credible information, as well as promoting the campaign on social media. The federal government has also taken steps to contribute to these efforts through the [Cybersecurity & Infrastructure Security Agency](#), which has a dedicated misinformation team that runs a "rumor control" program where reliable and verified information is provided in response to the spread of false information related to elections. State and local election officials should use these existing resources to supplement their own voter education campaigns to help stem the spread of misinformation.

⁴Colorado, Connecticut, Hawaii, Minnesota, Missouri, Montana, New Mexico and Tennessee. See Common Cause report, "[As a Matter of Fact: The Harms Caused by Election Disinformation.](#)"

Conclusion

The 2022 midterms elections, and the defeat of many prominent election denying candidates, was seen by some as a reprieve from the threats that have loomed over our democracy in the last decade. However, as shown by the number of election denialists who did manage to win office, and the continued actions of those already in office to subvert democracy, this threat is very much alive and well. To protect our elections and prevent the further erosion

of our democracy in the future, action must be taken now before it is too late. By enacting legislation to protect voting rights, insulating election administration systems from partisan actors, protecting election officials acting in good faith from threats, and taking measures to increase voter confidence, our democracy can be protected, preserved, and even further strengthened.

Appendix:

State Breakout of National Election Denial Risk Index, Sorted Alphabetically

POLICY	State Voting Rights Act	Protecting Election Officials	Post Election Audits	Risk Limiting Audits	Paper Ballots	Election Admin.	Insider Threats/ Penalties	Professionalization	Certification	Recounts	Disinfo. Protections	Ballot Tracking	Total	Category
AL	0	0	0	0	1	-0.5	0	0	0	1	0	0.5	2	4-Highest risk
AK	0	0	1	0	1	0	0	1	0	1	0	0.5	4.5	3-Moderate risk
AZ	0	0	1	0	1	0	0	1	0	1	0	0.5	4.5	3-Moderate risk
AR	0	0	1	0	0	0.5	0	1	0	0.5	0	0.5	3.5	3-Moderate risk
CA	1	1	1	1	1	0	0	0	1	0.5	0	0.5	7	2-Lower risk
CO	0	1	1	1	1	0	1	1	1	1	1	0.5	9.5	1-Lowest risk
CT	0	0	1	0	1	0	0	1	0	1	1	0.5	5.5	2-Lower risk
D.C.	0	0	1	0	0	0.5	0	0	1	0.5	0	0.5	3.5	3-Moderate risk
DE	0	0	1	0	1	0.5	0	1	0	0.5	0	0.5	4.5	3-Moderate risk
FL	0	0	1	0	1	0	0	0	0	1	0	0.5	3.5	3-Moderate risk
GA	0	0	1	1	0	0.5	0	1	0	0	0	0.5	4	3-Moderate risk
HI	0	0	1	0	1	0.5	0	1	1	1	1	0.5	7	2-Lower risk
ID	0	0	1	0	1	0	0	1	0	0.5	0	0.5	4	3-Moderate risk
IL	1	0	1	0	1	0.5	0	1	0	0	0	0	4.5	3-Moderate risk
IN	0	0	0	1	0	0	0	1	0	0.5	0	0.5	3	3-Moderate risk
IA	0	0	1	0	1	0	0	1	0	0.5	0	0.5	4	3-Moderate risk
KS	0	0	1	0	1	0	0	1	0	0.5	0	0.5	4	3-Moderate risk
KY	0	0	1	0	1	0.5	0	1	0	0.5	0	0.5	4.5	3-Moderate risk
LA	0	0	0	0	0	0	0	0	0	0.5	0	0.5	1	4-Highest risk
ME	0	1	0	0	1	0	0	1	0	0.5	0	0.5	4	3-Moderate risk
MD	0	0	1	0	1	0.5	0	1	0	0.5	0	0.5	4.5	3-Moderate risk
MA	0	0	1	0	1	0	0	1	1	0	0	0.5	4.5	3-Moderate risk
MI	0	0	1	1	1	0	0	1	1	1	0	0.5	6.5	2-Lower risk
MN	0	0	1	0	1	0	0	1	0	0.5	1	0.5	5	3-Moderate risk
MS	0	0	0	0	0	0	0	1	0	0	0	0	1	4-Highest risk
MO	0	0	1	0	1	0	0	0	0	0	1	0	3	3-Moderate risk
MT	0	0	1	0	1	0	0	1	0	1	1	0.5	5.5	2-Lower risk
NE	0	0	1	0	1	0	0	1	0	0.5	0	0.5	4	3-Moderate risk
NV	0	0	1	1	0	0	0	1	0	0.5	0	0.5	4	3-Moderate risk
NH	0	0	0	0	1	0	0	0	1	0.5	0	0.5	3	3-Moderate risk

State Breakout of National Election Denial Risk Index, Sorted Alphabetically (cont.)

POLICY	State Voting Rights Act	Protecting Election Officials	Post Election Audits	Risk Limiting Audits	Paper Ballots	Election Admin.	Insider Threats/ Penalties	Professionalization	Certification	Recounts	Disinfo. Protections	Ballot Tracking	Total	Category
NJ	0	0	1	1	0	0	0	0	0	0.5	0	0.5	3	3-Moderate risk
NM	0	1	1	0	1	0	0	1	0	1	1	0.5	6.5	2-Lower risk
NY	1	0	1	0	1	0.5	0	1	0	1	0	0.5	6	2-Lower risk
NC	0	0	1	0	1	0.5	0	1	0	0	0	0.5	4	3-Moderate risk
ND	0	0	0	0	1	0	0	1	0	1	0	0.5	3.5	3-Moderate risk
OH	0	0	1	1	0	0	0	1	0	1	0	0.5	4.5	3-Moderate risk
OK	0	0	0	0	1	0.5	0	1	0	0.5	0	0.5	3.5	3-Moderate risk
OR	1	1	1	1	1	0	0	1	1	1	0	0.5	8.5	1-Lowest risk
PA	0	0	1	1	1	0	0	0	0	1	0	0.5	4.5	3-Moderate risk
RI	0	0	1	1	1	0.5	0	1	0	0	0	0.5	5	3-Moderate risk
SC	0	0	1	0	0	0.5	0	1	0	0.5	0	0.5	3.5	3-Moderate risk
SD	0	0	0	0	1	0	0	0	0	0.5	0	0.5	2	4-Highest risk
TN	0	0	1	0	0	0.5	0	1	0	0	1	0.5	4	3-Moderate risk
TX	0	0	1	0	0	0	0	0	0	1	0	0	2	4-Highest risk
UT	0	0	1	0	1	0	0	0	0	0.5	0	0.5	3	3-Moderate risk
VT	0	0	1	0	1	0	0	1	1	0	0	0.5	4.5	3-Moderate risk
VA	1	0	1	1	1	0.5	0	1	0	0.5	1	0.5	7.5	2-Lower risk
WA	1	0	1	1	1	0	0	1	0	1	0	0.5	6.5	2-Lower risk
WV	0	0	1	0	0	0.5	0	1	0	0.5	0	0.5	3.5	3-Moderate risk
WI	0	0	1	0	1	0.5	0	1	0	0.5	0	0.5	4.5	3-Moderate risk
WY	0	0	0	0	1	-0.5	0	0	0	0.5	0	0	1	4-Highest risk
OUT OF	1	1	1	1	1	0.5	1	1	1	1	1	0.5	11	

Current as of April 2023

Appendix: State Breakout of National Election Denial Risk Index, Sorted by Risk Level

POLICY	State Voting Rights Act	Protecting Election Officials	Post Election Audits	Risk Limiting Audits	Paper Ballots	Election Admin.	Insider Threats/ Penalties	Professionalization	Certification	Recounts	Disinfo. Protections	Ballot Tracking	Total	Category
CO	1	1	1	1	1	0.5	1	1	1	1	1	0.5	9.5	1-Lowest risk
OR	0	1	1	1	1	0	1	1	1	1	1	0.5	8.5	1-Lowest risk
VA	1	1	1	1	1	0	0	1	1	1	0	0.5	7.5	2-Lower risk
CA	1	0	1	1	1	0.5	0	1	0	0.5	1	0.5	7	2-Lower risk
HI	1	1	1	1	1	0	0	0	1	0.5	0	0.5	7	2-Lower risk
MI	0	0	1	0	1	0.5	0	1	1	1	1	0.5	6.5	2-Lower risk
NM	0	0	1	1	1	0	0	1	1	1	0	0.5	6.5	2-Lower risk
WA	0	1	1	0	1	0	0	1	0	1	1	0.5	6.5	2-Lower risk
NY	1	0	1	1	1	0	0	1	0	1	0	0.5	6	2-Lower risk
CT	1	0	1	0	1	0.5	0	1	0	1	0	0.5	5.5	2-Lower risk
MT	0	0	1	0	1	0	0	1	0	1	1	0.5	5.5	2-Lower risk
MN	0	0	1	0	1	0	0	1	0	1	1	0.5	5	3-Moderate risk
RI	0	0	1	0	1	0	0	1	0	0.5	1	0.5	5	3-Moderate risk
AK	0	0	1	1	1	0.5	0	1	0	0	0	0.5	4.5	3-Moderate risk
AR	0	0	1	0	1	0	0	1	0	1	0	0.5	4.5	3-Moderate risk
DE	0	0	1	0	1	0	0	1	0	1	0	0.5	4.5	3-Moderate risk
IL	0	0	1	0	1	0.5	0	1	0	0.5	0	0.5	4.5	3-Moderate risk
KY	1	0	1	0	1	0.5	0	1	0	0	0	0	4.5	3-Moderate risk
MD	0	0	1	0	1	0.5	0	1	0	0.5	0	0.5	4.5	3-Moderate risk
MA	0	0	1	0	1	0.5	0	1	0	0.5	0	0.5	4.5	3-Moderate risk
OH	0	0	1	0	1	0	0	1	1	0	0	0.5	4.5	3-Moderate risk
PA	0	0	1	1	0	0	0	1	0	1	0	0.5	4.5	3-Moderate risk
VT	0	0	1	1	1	0	0	0	0	1	0	0.5	4.5	3-Moderate risk
WI	0	0	1	0	1	0	0	1	1	0	0	0.5	4.5	3-Moderate risk
GA	0	0	1	0	1	0.5	0	1	0	0.5	0	0.5	4	3-Moderate risk
ID	0	0	1	1	0	0.5	0	1	0	0	0	0.5	4	3-Moderate risk
IA	0	0	1	0	1	0	0	1	0	0.5	0	0.5	4	3-Moderate risk
KS	0	0	1	0	1	0	0	1	0	0.5	0	0.5	4	3-Moderate risk
ME	0	0	1	0	1	0	0	1	0	0.5	0	0.5	4	3-Moderate risk
NE	0	1	0	0	1	0	0	1	0	0.5	0	0.5	4	3-Moderate risk

State Breakout of National Election Denial Risk Index, Sorted by Risk Level (cont.)

POLICY	State Voting Rights Act	Protecting Election Officials	Post Election Audits	Risk Limiting Audits	Paper Ballots	Election Admin.	Insider Threats/ Penalties	Professionalization	Certification	Recounts	Disinfo. Protections	Ballot Tracking	Total	Category
NV	0	0	1	1	0	0	0	1	0	0.5	0	0.5	4	3-Moderate risk
NC	0	0	1	0	1	0.5	0	1	0	0	0	0.5	4	3-Moderate risk
TN	0	0	1	0	0	0.5	0	1	0	0	1	0.5	4	3-Moderate risk
AR	0	0	1	0	0	0.5	0	1	0	0.5	0	0.5	3.5	3-Moderate risk
D.C.	0	0	1	0	0	0.5	0	0	1	0.5	0	0.5	3.5	3-Moderate risk
FL	0	0	1	0	1	0	0	0	0	1	0	0.5	3.5	3-Moderate risk
ND	0	0	0	0	1	0	0	1	0	1	0	0.5	3.5	3-Moderate risk
OK	0	0	0	0	1	0.5	0	1	0	0.5	0	0.5	3.5	3-Moderate risk
SC	0	0	1	0	0	0.5	0	1	0	0.5	0	0.5	3.5	3-Moderate risk
WV	0	0	1	0	0	0.5	0	1	0	0.5	0	0.5	3.5	3-Moderate risk
IN	0	0	0	1	0	0	0	1	0	0.5	0	0.5	3	3-Moderate risk
MO	0	0	1	0	1	0	0	0	0	0	1	0	3	3-Moderate risk
NH	0	0	0	0	1	0	0	0	1	0.5	0	0.5	3	3-Moderate risk
NJ	0	0	1	1	0	0	0	0	0	0.5	0	0.5	3	3-Moderate risk
UT	0	0	1	0	1	0	0	0	0	0.5	0	0.5	3	3-Moderate risk
AL	0	0	0	0	1	-0.5	0	0	0	1	0	0.5	2	4-Highest risk
SD	0	0	0	0	1	0	0	0	0	0.5	0	0.5	2	4-Highest risk
TX	0	0	1	0	0	0	0	0	0	1	0	0	2	4-Highest risk
LA	0	0	0	0	0	0	0	0	0	0.5	0	0.5	1	4-Highest risk
MS	0	0	0	0	0	0	0	1	0	0	0	0	1	4-Highest risk
WY	0	0	0	0	1	-0.5	0	0	0	0.5	0	0	1	4-Highest risk
OUT OF	1	1	1	1	1	0.5	1	1	1	1	1	0.5	11	

Current as of April 2023