



Evidence vs. Hyperbole

The Relationship between Election Laws and the Health of Democracy

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There is extraordinary variation in how citizens vote in US elections. US states are granted broad authority under the Constitution to make their own rules for the conduct of their elections at all levels. Of course, the Constitution does grant power to Congress to make federal election laws that apply throughout the nation, but Congress rarely reaches consensus to enact broad federal reforms. As a result, in most areas of election policy, states are given wide latitude. For instance, they have different rules about the drawing of federal districts for legislature seats, different procedures and requirements for registering and voting, different methods of counting and recounting ballots, and different voting rules such as the use of runoff elections and ranked-choice voting. For elections for state- and local-level offices, there is even more variation from place to place in areas such as campaign finance limits, the use of multimember districts, and the timing of elections.

Political parties also contribute to the considerable variation across states in the US electoral system. Compared to other democracies around the world, parties and their state affiliates in the United States have adopted highly democratized methods of selecting nominees. Rather than relying on party leaders or dues-paying members to select who will stand for each office under a party's label, as is the custom elsewhere, US political parties invite ordinary citizens to participate in nomination contests through systems of primary elections and caucuses. The parties' rules at the national level governing such contests differ, and state affiliates vary regarding rules about who is eligible to participate in primary elections, the voting methods used in primaries, and the timing of those primary elections. The parties even disagree on whether there should be an election in the state or a caucus.

Election policies shift over time as states and political parties tinker with election procedures. This tinkering aims to achieve diverse goals: higher turnout, greater security, lower costs, voter satisfaction, and party advantage. State-by-state tinkering means that voters' and candidates' experiences with democratic participation differ from community to community. This variation also provides opportunities for social scientists to help shape public policy debates. Variation

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across states and over time enables social scientists to learn about how policies meet or fail to meet different goals.

The constant experimentation in election law does create a problem that has long differentiated election policy from other areas of policy: the same lawmakers who decide on election policy have incentives to pass laws that help themselves get reelected and their party consolidate power. The passage of laws that serve their personal and partisan interests could, theoretically, make it harder for candidates with competing visions to contest elections, which could threaten the responsiveness of representatives to their electorates. Although lawmakers have other incentives, such as an earnest desire to have high participation or secure and affordable elections, their obvious political motives mean that nearly all election policies will be subjected to intense public and legal scrutiny. In this area of public policy, perhaps more than in most areas, the motives of lawmakers are under a constant cloud of suspicion.

TWO TRENDS: POLARIZATION AND LIBERALIZATION

As lawmakers at the state and federal levels have become more polarized over time—meaning that Democrats and Republicans have found fewer areas of public policy on which they agree—the two major parties have also endorsed increasingly divergent policy priorities for American elections. The Republican Party is more focused on election security and combating election fraud. It is commonplace to hear Republican politicians worry about nefarious actors posing as voters at polling stations to cast fraudulent ballots. These same politicians also are concerned about the procedures for mail voting, which lacks the privacy and security of in-person voting. In contrast, the Democratic Party focuses more on voting access, particularly for racial minorities. Democrats worry about restrictions on voting that burden voters and that may disproportionately burden minorities, subsequently reducing their voting rates: administrative burdens may prevent some people who want to vote from doing so. Some Democrats are concerned about how electoral units are drawn and electoral rules are decided. Democrats also worry that the geographic concentration of their supporters in urban areas and in a small number of states unfairly reduces their party’s ability to translate votes into legislative seats and Electoral College victories.

Some examples of divergence between rank-and-file Democrats and Republicans help illustrate their divergent electoral policy priorities. According to a 2021 Pew study, Republican voters overwhelmingly support requiring photo identification to vote and purging obsolete records from voter registration files (Pew Research Center 2021). Republicans are 30–40 percentage points more likely to support these policies than Democrats. In contrast, Democrats support allowing ex-convicts to vote after they finish their prison sentences and making early voting available for two weeks ahead of Election Day. Democrats are about 30–40 percentage points more likely to support these policies than Republicans. Some differences have arisen more recently as the result of conflicts stemming from the 2020 election, particularly regarding voting by mail.

Along with their changing views, Republicans and Democrats also differ in their confidence in the accuracy of elections over time. In the mid-2000s, about 90 percent of Republican voters were confident in the accuracy of elections; this proportion was substantially higher than

that of Democrats. By 2022, only 40 percent of Republicans expressed confidence in the accuracy of elections; this proportion was more than 40 percentage points lower than Democrats, according to Gallup (McCarthy 2022). Yet there is considerable evidence that the party that wins the presidency sees a subsequent surge in confidence, whereas the party that loses often sees a decline in confidence. This was particularly true in 2020 and 2022 (Grimmer et al. 2024).

The divergence in party positions, however, should not be overstated. States learn from other states in election law, and they adopt laws that serve nonpartisan goals and are passed on bipartisan bases. One example is automatic voter registration, which has been passed by both Republican and Democratic states in recent years. Increasing access to early in-person voting over the last few decades has been popular among both major political parties and has been passed into law in most states.

In fact, a second trend over time that is even clearer than that of party polarization is an across-the-board liberalization of voting laws. Take the case of individuals born in 1950, who today are in their mid-seventies. They saw major changes in their lifetimes: African Americans in the South were re-enfranchised by the enforcement of the Fifteenth Amendment and the passage of the Voting Rights Act of 1965. The passage of the Twenty-Sixth Amendment in 1971 gave eighteen- to twenty-year-olds the right to vote.

Voting has also become more convenient in many ways since 1950. When those born in 1950 came of age in the late 1960s, some states still required all voters to periodically reregister. Other states had registration deadlines fifty days before an election (Rosenstone and Wolfinger 1978). Neither of these policies are in force today. In addition, no state then had same-day registration, which is permitted in almost half the states today. As late as 1990, fewer than 10 percent of voters cast a ballot either by mail or in person ahead of Election Day. By 2016, two of five voters cast ballots using these methods, and in 2020, the majority of ballots were not cast in person on Election Day (MIT Election Data+ Science Lab 2024). Permissive campaign finance laws combined with modern technology have democratized donation behavior as well, to the extent that candidates can be elected to office—such as Alexandra Ocasio-Cortez (D) and Marjorie Taylor Greene (R)—who get most of their donations in increments of less than \$200 (OpenSecrets 2024).

Even though Democrats and Republicans have different preferences for election policy, the overall trend is one of expanded access to the polls and a reduction in administrative burdens. Despite some countervailing policy trends, we take it as uncontroversial that today there are more ways to register and to vote—and these are less burdensome ways—than there were fifty years ago.

BIG CHANGES IN LAW, LITTLE EFFECT ON OUTCOMES

Political science helps us make sense of these two trends of party polarization and liberalization of voter policies. As the parties diverge in their attitudes toward election policies, scholarly research can inform the public debate about the consequences of each party's vision. As the

country has adopted more lenient policies for voting, scholarship can tell us how such reforms translate into votes for one party or the other. And as some states propose laws that increase the burdens of participation, research can tell us the effects of such policies on the electorate. The research is important because changes to election laws, whether big or small, generate hopes and fears about their effects on participation and on which candidates win and lose.

Over the span of a few decades, the United States went from a country where almost everyone had to vote in person on Election Day to one where most people do not vote that way. During that same time, the United States went from a country of early registration deadlines to one in which one can register on Election Day in almost half the states. What is the effect of these changes on turnout and on partisan election outcomes?

Perhaps to the disappointment of reformers and to the relief of their opponents, the basic story that has emerged from the research is that *most of the election policies that have been debated and implemented over the last few decades have done little to affect voter turnout*. The US turnout rate over time provides sobering evidence on the relationship between the massive liberalization of electoral laws and turnout. In 1986, the first midterm election in which the authors happen to have been alive—a time before motor voter laws allowed people to register effortlessly while obtaining or updating their drivers' licenses and before the widespread adoption of same-day registration, no-excuse mail voting, and early voting—turnout in the United States was 50 percent. As states adopted liberalizing laws over the next couple of decades, turnout *actually decreased*, to a low of 42 percent in 2014. Thus, voting “access” increased while voter turnout decreased. The emergence of Donald Trump on the national stage in 2016 led to an increase in turnout in the last few years, but in 2022, when even more states had permissive mail voting and registration rules, turnout was about at the level it was when we were born. According to the Brookings Institution, turnout in 2022 was 52 percent (Frey 2023).

Social scientists, of course, examine more factors than the overall change over time. We look in detail at changes in turnout or vote outcomes attributable to specific changes in law. Literature reviews from the early 2000s concluded that reforms such as early voting and mail voting may have modest—two to four percentage points—effects on turnout and no discernible partisan impact (Berinsky 2005; Gronke et al. 2008). A more recent review finds that “the research on the turnout effects of convenience voting reforms is at best mixed, leaning toward a null effect and in some instances a negative effect” (Menger and Stein 2020, 216). In a review of recent litigation, Stephanopoulos (2023) draws a similar conclusion. For a fuller review of the literature, see Grimmer and Hersh (2024). In fact, we borrow the next few paragraphs from that paper, because they directly address how the recent literature has failed to find big effects from changes to election administration.

As Menger and Stein (2020) note, much of the research on the effects of these laws on turnout relied on imprecise methods. In the last few years, more sophisticated research strategies have been used yet continue to find modest relationships between the policies and turnout. Thompson et al. (2020) and Barber and Holbein (2020) estimate about a two percentage point effect of universal vote by mail on turnout. Similarly, Fowler (2017) estimates a two percentage point turnout effect from preregistration policies among young adults. Bryant et al. (2022)

estimates a one percentage point turnout effect when a state encourages registration with postcards.

In this literature, the partisan effects of laws are less commonly studied, but when they are explicitly measured, they are typically indistinguishable from null (e.g., Harden and Campos 2023; Walker, Herron, and Smith 2019; Yoder et al. 2021). For instance, consider a law that does appear to have a big effect on turnout: automatically reregistering voters who have moved homes within a county. Kim (2022) convincingly shows that automatic reregistration significantly increases turnout: those who move are almost six percentage points more likely to vote because of the policy change. Yet the partisan effects are essentially zero, because the population of movers has the same partisan composition as that of the nonmovers.

The effects of election laws on turnout are so small that scholars analogize the effect sizes to the modest impact of campaign advertisements on participation. Studying the turnout effects of majority-minority districts, a powerful reform stemming from the Voting Rights Act, Fraga (2015, 31) writes, “The effects I find are roughly equivalent to receiving an impersonal contact encouraging a registrant to vote.” The effects of all-mail voting, Barber and Holbein (2020, 5) suggest, are “somewhere between one nonpartisan get-out-the-vote solicitation over the phone and one social-pressure mailer.” Studies that have found larger effects suffer from deficiencies that make the findings unreliable. For instance, McDonald et al. (2024, 1) studied the cross-sectional relationship between the share of ballots cast by mail and voter turnout and found that “states with greater usage of mail voting experience higher overall voter turnout.” Yet, their estimates are consistent with states with historically higher turnout simply adopting permissive mail ballot laws.

Among policies that change voting requirements, the most well-researched topic is voter identification laws. An early review of the scholarship found “modest turnout effects and only minor differences across politically relevant groups” (Highton 2017, 164). More recent work on specific states with individual-level data (Grimmer and Yoder 2022) or using a longer time horizon (Cantoni and Pons, 2021) has found even smaller effects, close to zero.

Studies of other policies that have been theorized to reduce turnout have examined long lines at the polls and felon disenfranchisement. The effect of long lines amounts to about one percentage point and is concentrated among the small fraction of the public that must wait in long lines (Cottrell, Herron, and Smith 2021; Pettigrew 2021). Felony disenfranchisement decreases participation among affected felons and ex-felons by approximately 10 percentage points, relative to how much they might vote in the absence of the law (Meredith and Morse 2015; Miles 2004; Morse 2021). That is a large effect on turnout; however, because the disenfranchised population appears politically fragmented—with White felons and ex-felons being disproportionately Republican and non-White felons and ex-felons being disproportionately Democratic—the likely partisan consequences for felon disenfranchisement are very modest.

As with the voter access laws, some research on these policies suggests surprisingly strong effects. For instance, Hajnal, Lajevardi, and Nielson (2017) found that voter identification laws

have large turnout effects; indeed, some of their models showed very large positive effects on turnout. However, these findings have since been found to be unreliable (Grimmer et al. 2018).

We think a fair and uncontroversial reading of the voter “suppression” literature is that, compared to dire warnings and predictions in the public square, scholars have found at most modest relationships between these laws and election participation. There seems to be no consistent relationship between “suppression” laws and partisan outcomes. Indeed, a recent law review article found that laws that were the subject of intense litigation have had little effect on turnout (Zhang 2022).

WHY DON'T ELECTION LAWS USUALLY AFFECT ELECTION OUTCOMES?

In our own joint work in “How Election Rules Affect Who Wins” (2024), we examined why election policies that are purported to affect electoral outcomes through their effect on voter turnout tend to have exceedingly modest consequences. There are three main reasons why. First, laws that affect the voting process tend to be relevant only to a small number of people. For instance, only current felons and (potentially) ex-felons are affected by felon disenfranchisement laws, only those who do not possess a voter ID are affected by voter ID laws, and only people who move homes are affected by automatic reregistration laws. The vast majority of voters do not fall into the category of those affected by any particular law.

Second, even among the small group of people potentially affected by a law, the actual relationship between an election law and turnout is small. For instance, someone who does not have a photo ID may fail to vote for more reasons than just lacking a voter ID. In other cases, voters who do not have a photo ID are able to obtain a proper ID card before the next election or to use an alternative method to identify themselves. In both of those scenarios, the law does not affect voting behavior. Similarly, past research suggests that the overwhelming majority of individuals who are disenfranchised due to felony convictions would not vote even if they were permitted to do so.

Third, election laws that do increase or decrease the voter turnout of a subset of the electorate often do not affect a homogeneous partisan subset of the electorate. In other words, the people affected are both Democrats and Republicans. This means that the effects of the law will have modest consequences on which party wins or loses. For instance, even if mail voting increases turnout by a small percentage and even if voter ID laws decrease turnout by a small percentage, these laws affect a mix of Democrats and Republicans.

Why do election laws that increase or decrease turnout fail to target a homogeneous group of either Democrats or Republicans? There are several reasons for this. First, those who benefit from or are burdened by an election law are often diverse in partisan orientation. For instance, in the case of automatic reregistration discussed earlier, the people affected by the

law—in-county movers—look very similar in terms of party identification to those who do not move. Another reason is spillover. A law like same-day registration may especially help transient populations such as young adults. Even though more young adults are Democratic than Republican, there are still many Republican young adults, and the law affects older adults too.

Perhaps the most interesting, and counterintuitive, reason why election laws do not target a homogeneous group of partisans has to do with the relationship between socioeconomic status and partisanship. Groups on the Left have long been attentive to election laws that place burdens on lower-education and lower-income people out of concern that they disproportionately burden racial minorities. As Justice Elena Kagan explained in a dissenting opinion in *Brnovich v. Democratic National Committee* (2021), Congress “saw that ‘inferior education, poor employment opportunities, and low income’—all conditions often correlated with race—could turn even an ordinary-seeming election rule into an effective barrier to minority voting in certain circumstances.” So, Democrats and Democratic-aligned groups may worry that a voter ID law or a felon disenfranchisement law specifically targets Americans lower on the socioeconomic spectrum and thus racial minorities.

In recent years, however, individuals who are lower on the socioeconomic spectrum are mostly Republican—even though racial minority members tend to be Democrats and are disproportionately lower on the socioeconomic spectrum. For example, African Americans make up about 12 percent of the US population, but they comprise a greater share of those who have low education and a low income. Yet, a majority of lower socioeconomic status voters are not Black, and those who are White are now voting Republican by wide margins. This means that laws that burden lower-class Americans will both disproportionately burden racial minorities and only *help* Democrats very slightly. Thus, even laws that seem like they might decrease or increase turnout among lower-class people will not have large partisan consequences.

The partisan consequences of election rules are so small that they are hard to anticipate, and this is a crucial point. This means that even if lawmakers are motivated by partisan reasons to pass certain laws, they are unlikely to be able to anticipate the precise consequences they intend. If out of a million votes, a few hundred or even a few thousand people vote or fail to vote on account of a law, whether those votes are a net gain for Democrats or Republicans will be almost impossible to predict and may vary place to place and year to year. This means that even if legislators know the average effect of the policy across the United States, they still may be unable to anticipate the effect in a particular location.

To be clear, this does not mean that an election law cannot affect participation or ever influence the outcome in an election. However, having studied many laws that are purported to increase or decrease turnout, our research suggests their effects are so small that they would be impossible for lawmakers to predict accurately.

BEYOND VOTING AND REGISTRATION

The basic conclusion that election laws have minimal effects on outcomes seems to extend beyond the laws we have studied related to procedures for voting and registration. First, take the case of redistricting. States have different procedures for drawing legislative districts, but they are not restricted by federal law from creating them in such a way that gives their favored political party an advantage. This is referred to as partisan gerrymandering, and it is commonly practiced across the nation. Gerrymandering might affect which party wins or loses, but it does not do so through affecting voter turnout. Rather, by strategically distributing neighborhoods based on partisan support across legislative districts, line drawers may attempt to efficiently distribute their supporters in such a way that the party wins majorities in most districts.

Professor Kosuke Imai of Harvard and his collaborators have done the most sophisticated work on the effect of gerrymandering on partisan advantage (see Kenny et al. 2023). They find that Democratic-supported gerrymandering and Republican-supported gerrymandering roughly cancel each other out, at least with respect to the drawing of the 435 congressional districts. Considering all fifty states, the Republicans netted just two congressional seats on account of gerrymandering in 2020.

For another example, consider campaign finance. In 2010, the Supreme Court decided in *Citizens United v. Federal Election Committee* that Super PACs can raise and spend money from individuals, business, and unions on elections as long as they follow certain guidelines, such as operating independently of political party organizations and candidate campaigns. Soon after the Court's ruling, public opinion about the case became polarized, with Democrats coming out against it. Said NPR's Nina Totenberg at the time of the ruling, "It will undoubtedly help Republican candidates since corporations have generally supported Republican candidates more" (Tedford 2010). But since the ruling, Democrats seem to have done quite well raising and spending money on campaigns, including through "dark money" organizations that do not disclose their donors (Vogel and Goldmacher 2022). It turns out that both parties are able to convince their donors to support their elections. And there is only limited evidence of how exactly all the money in elections translates into concrete outcomes

WHAT'S WORTH WORRYING ABOUT?

On January 6, 2021, we witnessed a terrible milestone in the history of American elections. The sitting president claimed he won an election that he had lost, and he encouraged his supporters to fight for this unsupported position during the certification of the election by Congress. The president also blamed his vice president for not helping overturn the election. Rioters took over the US Capitol. Several people died and dozens of police officers were injured. Even after the riot ended and Congress reconvened, the majority of congressional Republicans still voted not to certify the election of the next president.

Following this turbulent transition, Congress debated how to address the issues that arose in the 2020 election, such as the vice president's ceremonial role in certifying election results.

Although Democrats in Congress and in the White House had hoped for a sweeping election reform bill that would have made nationwide changes to issues like gerrymandering, campaign finance, and mail-voting laws, the statute that was actually passed on a bipartisan basis and signed by the new president embodied a narrow set of changes addressing a narrow set of problems related to the certification of presidential elections.

The lesson that we draw from the 2020 election relates to the difference between election laws that specify procedures for registering and voting (policies that affect activities up to and including Election Day) and election laws that bear on the postelection counting of ballots (including recounting of close elections) and certification. In general, the latter laws need serious scrutiny. And why is that? In both cases, the same selfish or partisan motivations infect the behavior of lawmakers who are tasked with setting election policy. The difference is that the election policies that affect registration and voting procedures do not appear to have clear, consistent effects that lawmakers can anticipate. Conversely, for policies related to postelection issues, there is usually no need to anticipate or predict the votes: they have already been counted. Even so, lawmakers may seek to “find” enough votes for their side or invalidate enough votes on the other side to change the outcome, which occurred in both the 2000 and 2020 elections.

Scrutinizing postelection procedures is of central importance because misunderstanding or misconstruing these procedures can have dire consequences, as we saw in 2020. Donald Trump made a series of allegation of misconduct in the counting of ballots. Those allegations fell into two categories: those that identified quite normal patterns but were treated as anomalous and those that were simply false.

As Eggers, Garro, and Grimmer (2021) explain, President Trump brought forward purported evidence that there was a one-in-quadrillion chance of Joe Biden winning the 2020 presidential election. His evidence relied on a misapplied statistical concept, called a null hypothesis test. Trump claimed that vote counts in the 2020 election stopped late in the evening of Election Day, and then “vote dumps” occurred for Biden. But Trump merely misunderstood or mischaracterized how votes are reported. As the hours pass after the polls close, there will be fewer locations in each state still counting votes. This means that the reporting of votes will slow down, even as the rate of counting in locations continues at the same rate. Large increases in Democrats’ vote totals are expected because urban areas where Democratic support is concentrated often report their vote totals later than rural areas (Eggers, Garro, and Grimmer 2021).

Trump and his allies also made many false claims. Perhaps the best example concerned allegedly illegal voting in Georgia: Trump and his lawyers claimed that more than 66,000 underage individuals were allowed to vote in the 2020 presidential election in that state. This was based on an expert report from Bryan Geels, which was submitted in several cases that the Trump campaign litigated in Georgia. Yet, Geels never alleged that 66,000 underage individuals voted; instead, he claimed that 66,000 individuals had been allowed to register to vote when they were underage. Trump’s legal team and attorneys, including John Eastman and Ray Smith, incorrectly interpreted the evidence and then reported it to the public. But even Geels’s claim about supposedly underage registrations was untrue. Without explaining why, Geels reduced his alleged number of underage registrants to just over two thousand people in an updated report filed in

January 2021; Geels re-revised the quantity lower to 778 individuals as part of a declaration provided in John Eastman’s disbarment proceeding in California. But even this lower number turns out to be false. Grimmer and Ramaswamy’s (2024) analysis of the Georgia vote file and turnout history for the 2020 election shows that none of the voters were actually under 18 when they voted. Further, the supposedly “underage registrants” were only underage as the result of a simple clerical error. Most instances of underage individuals were people who were supposedly registered the year they were born. This is consistent with an input error where the birth year was included as the registration year.

Despite the lack of evidence, the Trump campaign’s claims of election fraud have helped foster a growing movement of skeptics of US elections. Grimmer, Herron, and Tyler (2024) document growing movements propelled by *expansive* voter fraud conspiracy theories. These theories allege that all US elections, not just high-profile presidential elections, are subject to computer manipulation. These conspiracy theories received a boost from Mike Lindell, a wealthy pillow manufacturer who invested large shares of his own personal wealth to propagate claims of voter fraud. Like the Trump campaign’s claims, the conspiracy theorists’ claims are based on poorly applied statistical models and basic misunderstandings of what voter files mean. Unfortunately, this poor reasoning and lack of statistical evidence have not stopped these claims of voter fraud from being influential politically. For example, in Shasta County, California, election skeptics successfully pushed for cancellation of the county’s contract with Dominion, a manufacturer of electronic voting machines, and they continue to advocate that an expensive hand-counting system be put in their place. Lindell has introduced intrusive “web monitoring devices” supposedly able to detect when voting data from election machines gets leaked to the internet.

This skepticism about elections fostered by political elites has eroded Republicans’ confidence in US elections. Yet, there is reason to hope that the skepticism will be short-lived. Typically, partisans are more skeptical of election results after their party loses the White House. Therefore, some of the current skepticism from Republicans is likely the result of losing the election. If there is a different result in 2024 or 2028, we are likely to see some restoration of Republicans’ faith in elections.

WHY CARE ABOUT ELECTION LAWS?

Much of this article explains why election laws, such as those governing registration and voting rules, do not typically have big impacts on voter turnout or on who wins and who loses. Of course, we are painting in broad strokes here, and we do not mean to imply that no law could ever have a serious impact on partisan election outcomes. Policies certainly could arise that have the effect of dramatically changing the electorate, and so election policies deserve scrutiny. That is especially the case when a law seems to be passed deliberately to suppress protected classes like racial minorities.

However, there is an important normative conclusion to be drawn from our analysis. The kinds of laws governing registration and voting that are debated so vigorously by politicians and activists do not have big effects on turnout or on who wins or loses, but that does not mean

that they do not matter. In fact, the modest effects on outcomes should allow states and the federal government to focus on all the reasons *aside from partisan advantage* for why laws should be changed or not changed. Does the law make voting easier? More secure? Less administratively burdensome? Is the law intended to discriminate against racial minorities? Does the law create burdens in ways that do not translate into lower voter turnout but cause aggravations for voters? We think both the public and lawmakers can have healthier debates about these questions once they realize how little the laws affect who wins or loses. They can then focus on what laws are good for the country and for their communities, not on what laws are going to give them a leg up in the next election.

To end with one final example that illustrates our point, consider all the changes that took place around mail voting in the 2020 election. In response to the pandemic, states made significant changes to their mail-voting procedures. The issue, however, soon became politicized such that support for mail voting became a partisan issue. But after analyzing years of states' experimentation with mail-voting laws, political scientists conclude that these laws, at most, increase turnout by a percentage point or two, and they do not help one party more than the other.

Understanding the lack of a relationship between mail-voting laws and partisan advantage frees the conversation from one of partisan gamesmanship and allows for a debate about other important considerations. For instance, in mail voting, there is a trade-off between convenience and a lack of privacy protections associated with in-person voting. There are important security questions and cost questions to consider. Whether a state decides to prioritize mail voting or in-person voting is a question that should come down to both value judgments and mundane logistics. The state's decision about this and so many other aspects of election policy need not be influenced by those seeking partisan advantage. That is because, across a very wide range of policies, election laws do not confer partisan advantages.

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