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# Information Gaps and Misinformation in the 2022 Elections

By the Brennan Center for Justice  
and First Draft

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# Contents

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P 1 EXECUTIVE SUMMARY

- Overview
  - Key findings
  - Key recommendations
- 

P 5 POTENTIALLY SIGNIFICANT INFORMATION GAPS IN THE 2022 ELECTIONS

- Significant changes in voting law and procedure since 2020
  - Heightened misinformation risks in the context of election denialism
  - New voters and newly naturalized citizens
  - Case study: A Tale of Two Jurisdictions: Texas and Los Angeles County, California
- 

P 21 RECOMMENDATIONS AND RESOURCES FOR ADDRESSING  
ELECTION INFORMATION GAPS IN 2022

- Recommendations for election officials
  - Recommendations for journalists
  - Recommendations for internet and social media companies
  - Recommendations for community-based organizations
  - Recommendations for the public
- 

P 29 ENDNOTES

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P 34 ACKNOWLEDGMENTS AND AUTHOR BIOS

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# Executive summary

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# Executive summary

## Overview

The problem of election misinformation is vast. Part of the problem occurs when there is high demand for information about a topic, but the supply of accurate and reliable information is inadequate to meet that demand. The resulting information gap creates opportunities for misinformation to emerge and spread.<sup>1</sup>

One major election information gap developed in 2020, when the Covid-19 pandemic drove many states to expand access to voting by mail.<sup>2</sup> Inadequate public knowledge about the process left room for disinformation mongers to spread false claims that mail voting would lead to widespread fraud. Election officials — managing unprecedented challenges to ensure what federal authorities ultimately called “the most secure election in American history”<sup>3</sup> — could not fill information gaps with accurate information in time. As is now well known, no less than former President Trump promoted these false claims, among others, to deny the 2020 presidential election results and provoke the January 6, 2021 attack on the U.S. Capitol.<sup>4</sup>

In 2022, false narratives about a stolen 2020 election persist, even as an unprecedented spate of restrictive voting law changes across the country has created fresh information gaps and, thus, fresh opportunities for misinformation. Since 2020, at least 18 states have shrunk voting access, often in ways that dramatically alter

procedures voters might remember from the past.<sup>5</sup> Meanwhile, lies and vitriol about the 2020 election have affected perceptions of election administration in ways that complicate work to defend against misinformation.

This paper identifies some of the most significant information gaps around elections in 2022 and new developments in elections oversight that will make it harder to guard against misinformation. Ultimately, it recommends strategies that election officials, journalists, social media companies, civic groups, and individuals can and should use to prevent misinformation from filling gaps in public knowledge. Lessons from other subjects, such as Covid-19 vaccine ingredients and technologies,<sup>6</sup> show how timely responses and proactive “prebunking” with accurate information help to mitigate misinformation.<sup>7</sup>

The consequences of ignoring the misinformation risk posed by these information gaps could be severe. Already voter trust in elections has plunged since 2020.<sup>8</sup> Threats to election officials have become a serious public safety problem, with 60 percent of election officials reporting in a recent Brennan Center survey concerns that threats, harassment, and intimidation will thin their ranks.<sup>9</sup> After major changes to voting procedures since 2020, at least one state — Texas — has already seen remarkable increases in mail ballot rejections, and several other states have newly disenfranchised some minority voters.<sup>10</sup>

# Key findings

→ **Since the beginning of 2021, many states have enacted an unprecedented wave of laws that restrict voting access.**

At least 18 states, including congressional battlegrounds, passed 34 restrictive laws that could create significant information gaps for voters and result in misinformation.<sup>11</sup> Among them are laws that make it harder to vote by mail, shrink drop box numbers, impose draconian voter ID requirements, punish election workers for routine conduct, empower partisan poll watchers, and eliminate Election Day voter registration. Several states enacted expansive laws, which could also cause confusion and thus risk misinformation.<sup>12</sup> But restrictive changes carry the added risk that voters will mistakenly believe they address real problems of election integrity, confirming or creating false assumptions about widespread voter fraud, for instance, and feeding a disinformation feedback loop around the Big Lie.<sup>13</sup> And many new restrictions impose complex new requirements, which bad actors or confused citizens could misstate in ways that deter voters.<sup>14</sup> Some new laws may also increase voter confusion and misinformation by reducing election staff, delaying results, emboldening partisan poll watchers — thousands of whom conservative organizations have recruited in an unprecedented push to prepare to challenge election results<sup>15</sup> — or creating other unusual conditions.

→ **New citizens and new voters — who are disproportionately Latino — face special risks in encountering misinformation stemming from information gaps.**

Information gaps can specially affect new voters and newly naturalized citizens because they lack familiarity with U.S. voting procedures. Newly registered voters are most likely to be Latino.<sup>16</sup> At the same time, election misinformation and disinformation targeting Spanish-speaking and Latino communities is particularly virulent.<sup>17</sup> These new voters may face greater difficulties in recognizing misinformation resulting from information gaps around recent voting law changes.

Changes in  
voting laws  
could create  
significant  
information  
gaps for voters  
and result in  
misinformation.

→ **Election denialism in 2022 makes it harder to defend against misinformation resulting from information gaps.**

Baseless denials of the 2020 election results often include attacks on the election process itself, making the task of providing voters accurate information more urgent but also more challenging. Threats and harassment have driven striking numbers of election officials from their posts since 2020. A recent Brennan Center poll found one in five local election officials say they are likely to resign before the 2024 presidential election.<sup>18</sup> These departures would drain administrative expertise from the field.<sup>19</sup> Meanwhile, election denialism has infected races for offices with power over elections, with dozens of candidates across at least 18 states embracing false claims of a stolen 2020 presidential election.<sup>20</sup> Their messages encourage people to make sinister assumptions about unfamiliar voting procedures.

→ **Texas and Los Angeles County, California, provide contrasting examples of how to address the significant information gaps facing voters.** Texas voters received too little accurate information on major changes to mail voting ahead of the state's 2022 primary election, after a new law constrained election officials' ability to conduct public outreach. In the primary, mail ballot rejection rates in Texas skyrocketed compared to past years, up more than 1,100 percent from the 2020 presidential election.<sup>21</sup> By contrast, ahead of California's procedurally unusual 2021 gubernatorial recall election, Los Angeles election officials proactively educated voters on topics of confusion and prepared to prevent and mitigate misinformation in real time.<sup>22</sup> The election unfolded with remarkably little controversy.

# 1 in 5

local election officials  
say they are likely to  
resign before the 2024  
presidential election

# +1100%

increase in mail ballot  
rejection rates in Texas  
primary

# Key recommendations

## RECOMMENDATIONS FOR ELECTION OFFICIALS

- Plan well-timed voter education campaigns that include resources such as Frequently Asked Questions pages and video tutorials.
- Provide educational resources in voters' preferred languages.
- Consider publishing rumor control pages to “prebunk” misinformation.
- Build and maintain a network of partners and messengers — including secretaries of state, community groups, candidates of all affiliations, business groups, and the media — to amplify accurate election information.
- Where languages other than English are common, election officials should seek partnerships with messengers who can reach such voters and have their trust.

## RECOMMENDATIONS FOR COMMUNITY-BASED ORGANIZATIONS

- Develop contacts among election officials and nonpartisan voting experts.
- Provide accurate election information and tools to identify misinformation to community constituencies in preferred languages and formats.
- Develop partnerships with trusted messengers to ensure community education efforts travel further.

## RECOMMENDATIONS FOR JOURNALISTS

- Cultivate authoritative sources on elections, including election officials.
- Report pre-election stories on confusing or new topics.
- Provide accurate context and perspective in covering commonplace glitches or delays, consulting with nonpartisan experts where needed to help prevent misinformation.

## RECOMMENDATIONS FOR INTERNET AND SOCIAL MEDIA COMPANIES

- Publish and amplify accurate, authoritative election information.
- Publish clear and transparent policies to minimize election misinformation.
- Create infrastructure to impede election misinformation, such as effective education tools and algorithmic interventions that slow the spread of misinformation.
- Defend election official websites and accounts against hacking and interference.

## RECOMMENDATIONS FOR THE PUBLIC

- Make a plan to vote that accounts for recent changes in voting procedures.
- Learn how to recognize online misinformation and build news literacy.
- Seek out context for troubling election-related claims.
- Share accurate voting information with social, civic, and faith networks.

# Potentially significant information gaps in the 2022 elections

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Major recent, restrictive changes to voting laws in at least 18 states could create significant information gaps for voters in 2022.<sup>23</sup> Many of these states also feature contests for election official roles where the very integrity of the election process has become a central issue.<sup>24</sup>

**In this climate, the need for proactive, ongoing efforts to supply accurate election information is especially critical.**

# Significant changes in voting law and procedure since 2020

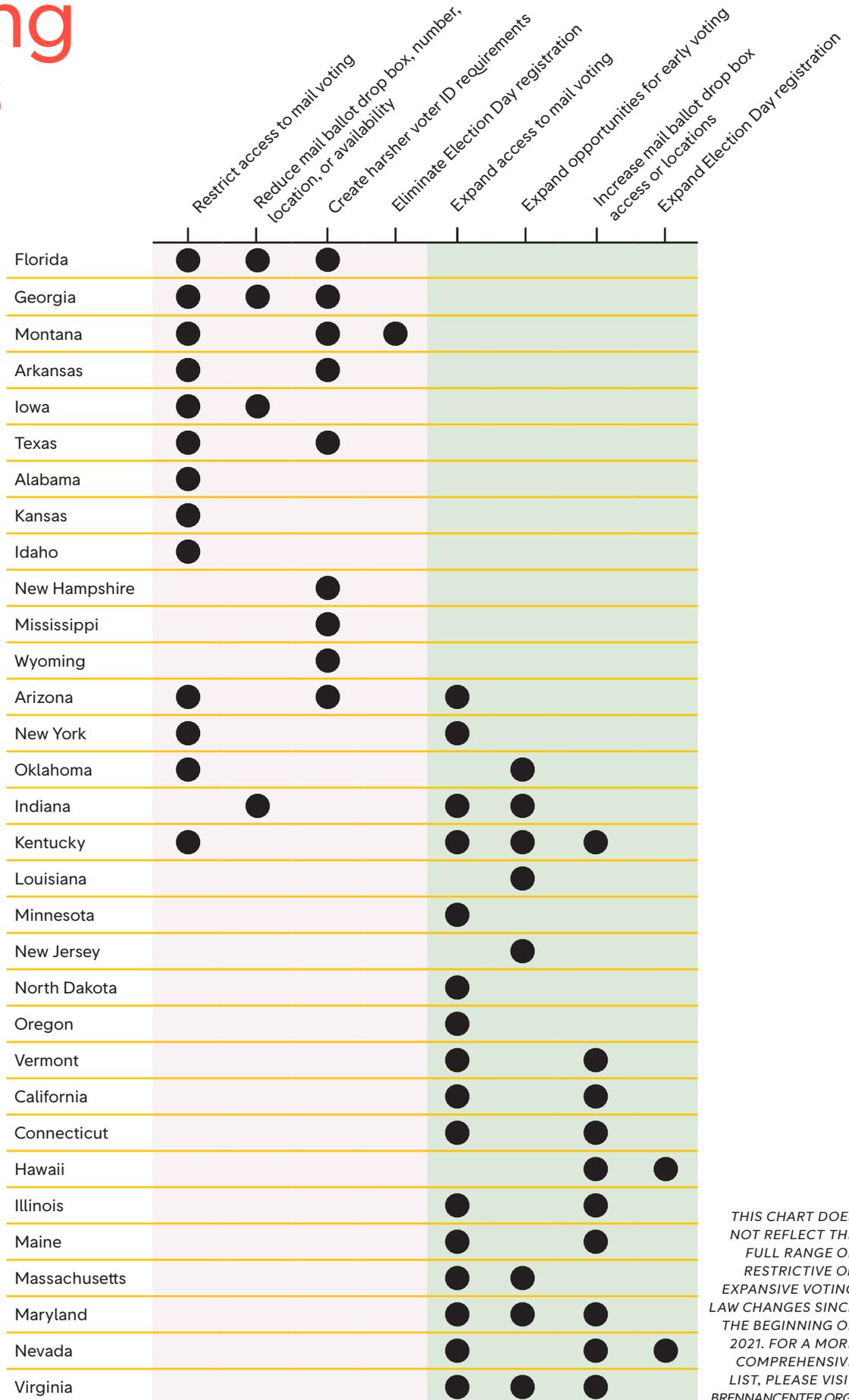
Since 2020, states across the nation have produced an unprecedented wave of new restrictive voting laws. These laws — motivated in part by partisan lies about a stolen election<sup>25</sup> — have reshaped the country’s electoral system. At least 18 states passed 34 laws restricting voting access since the beginning of 2021.<sup>26</sup> Among them are laws that limit mail voting access, shrink drop box numbers, create harsher voter ID requirements, and eliminate same-day voter registration. Many are the subject of ongoing litigation. These measures make it more difficult to vote in many states in 2022, often enacting new barriers to voting methods to which voters had become accustomed. They have the potential to sow substantial confusion among voters and create information gaps that allow misinformation to thrive.

In 2021, at least 25 states also passed 62 laws with measures that expand voting access. Some of these laws expand early voting, make mail voting easier, and increase drop box accessibility.<sup>27</sup> Two new laws expand Election Day registration.<sup>28</sup> In 2022, at least four states have passed laws that expand voting access.<sup>29</sup> These laws could also lead to information gaps for voters and become the subject of misinformation campaigns. This report, however, focuses on the misinformation risk from new laws that restrict voting access because of the unprecedented pace, scope, and effect of such laws in many states.

These laws  
— motivated  
in part by  
partisan lies  
about a stolen  
election —  
have reshaped  
the country’s  
electoral system.

# New voting laws

More than half of U.S. states passed laws since 2021 to restrict or expand voting access



THIS CHART DOES NOT REFLECT THE FULL RANGE OF RESTRICTIVE OR EXPANSIVE VOTING LAW CHANGES SINCE THE BEGINNING OF 2021. FOR A MORE COMPREHENSIVE LIST, PLEASE VISIT BRENNANCENTER.ORG.

The new restrictive voting laws carry special misinformation risks for voters. Some voters may mistakenly believe these laws respond to real problems with widespread voter fraud or other debunked election integrity issues. The laws have the potential to confirm or create false assumptions, feeding the ongoing disinformation feedback loop that perpetuates the Big Lie of a stolen 2020 election.<sup>30</sup> The laws also impose complex and varied restrictions. They create opportunities for confused citizens and bad actors to misstate rules or invent fake limits on voting to deter voters.<sup>31</sup> Some laws are likely to increase voter confusion by creating unfamiliar conditions, such as understaffed poll sites, election result delays, and possible criminal prosecution of competent election officials.

An unprecedented push to recruit partisan poll watchers could exacerbate confusion and misinformation for voters. The Republican National Committee (RNC) announced plans to recruit 5,000 watchers in each of 16 key states with the express purpose of challenging certain ballots this November.<sup>32</sup> This push follows the end of a longstanding court order barring such RNC strategies after allegations the committee had improperly targeted Black and Latino voters.<sup>33</sup> The Conservative Partnership Institute, which embraces election denialism, recently launched a similar recruitment drive.<sup>34</sup> These efforts coincide with new state laws granting more power to poll watchers. Democrats also recruit poll watchers, but traditionally have used messages of voter protection rather than vote challenges.<sup>35</sup>

## Mail voting

Mail voting is secure and reliable.<sup>36</sup> In 2020, though, expanded options for mail voting became fodder for unsubstantiated attacks on the legitimacy of the election process. Galvanized by this flood of misinformation, since 2020 a number of states have passed new laws that make it more difficult to vote by mail.

Several laws enacted in 2021 **impose new restrictions on the provision or collection of mail ballots:**

The changing laws create opportunities for confused citizens and bad actors to misstate rules or invent fake limits on voting to deter voters.

- **Georgia:** After President Biden won Georgia by a narrow margin in 2020, the state enacted an omnibus law that creates numerous new hurdles for voters. Among other measures, the law makes it illegal for government officials to send voters unsolicited mail ballot applications. In recent elections, some state and local officials had sent applications to all eligible voters.<sup>37</sup> Georgia's new law also bans third-party organizations — such as groups who conduct get-out-the-vote drives — from helping voters apply for absentee ballots by filling out parts of applications in advance. This represents a substantial shift for civic organizations in Georgia. In 2020, third-party organizations distributed more than 6.9 million request forms for absentee ballots containing pre-filled voter names and addresses.<sup>38</sup>
  
- **Iowa:** A new law similarly bans the Secretary of State from proactively sending voters absentee ballot applications. The new law is likely to catch many voters off guard: before the 2020 general election, Iowa's Secretary of State mailed about two million applications to the state's active and registered voters.<sup>39</sup>
  
- **Montana:** A new law makes it impossible for voters in remote parts of the state to rely on paid collectors to drop off their ballots. The law will disproportionately burden Native communities like the Blackfeet reservation, where just four ballot drop box locations serve an area roughly as large as Delaware.<sup>40</sup> In the past, get-out-the-vote groups — particularly those serving Native communities — have hired ballot collectors to help.<sup>41</sup>
  
- **Florida:** A new law drastically cuts back voters' ability to receive or offer help picking up and delivering mail ballots. Previously, elderly, rural, and other under-served or marginalized voters had been able to rely on friends or volunteers to help. Under the new law, voters can collect and return ballots only for themselves, immediate family members, and two more people.<sup>42</sup>

Several laws enacted in 2021 **give voters less time to request or deliver mail ballots.**

- **Alabama, Arkansas, Georgia, Iowa, Kentucky, New York, and Oklahoma:** New laws shorten the period for voters to apply for mail ballots.<sup>43</sup> For instance, Georgia has slashed its request window by more than half, from almost six months before Election Day to less than three months.<sup>44</sup>
- **Arkansas and Iowa:** New laws shorten the deadline to deliver a mail ballot.<sup>45</sup> In Arkansas, for example, voters will now have to return absentee ballots by the Friday before Election Day, or their vote will not be counted. Previously they had until Election Day to do so.<sup>46</sup>

Other 2021 laws **impose new ID or stricter signature requirements for mail voting.**

- **Arizona, Idaho, and Kansas:** New laws impose stricter signature requirements that introduce potential pitfalls for mail voters.<sup>47</sup> For instance, Arizona voters now have substantially less time to fix ballots with missing signatures — only until 7 p.m. on Election Day.<sup>48</sup> Previously they had up until five business days after the election to cure the error.<sup>49</sup>
- **Florida:** A new law requires voters to list a state ID number or part of a Social Security number to request a mail ballot. Eligible voters who have no such information can no longer receive a mail ballot.<sup>50</sup> Officials previously checked other voter information against a registration record to verify eligibility before sending a ballot.
- **Georgia:** New ID requirements are virtually certain to reduce Georgians' access to mail voting. The state's new law requires voters to present a driver's license or state identification number when applying for an absentee ballot. If voters do not have those forms of ID, they must attest to that fact and present another permissible identifying document. This requirement will affect many: more than 272,000 registered voters in Georgia do not have a state ID

or driver's license number on record with election officials.<sup>51</sup> The measure replaces Georgia's prior practice of comparing voter signatures to verify mail ballot applications.

- **Texas:** Like Georgia, Texas in 2021 enacted sweeping measures to restrict voting. Among them were new ID requirements for mail voting.<sup>52</sup> Texas previously used a signature matching process to verify mail ballots. In the state's 2022 primary election, confusion about the new law contributed to an extraordinary surge in mail ballot rejections.<sup>53</sup>

## Drop box availability

New laws passed since 2020 also **curtail the availability of drop boxes for ballots.**

- **Georgia:** A 2021 law shrinks the number of drop boxes in Atlanta's four core counties by approximately 80 percent compared to 2020, from 111 drop boxes in the 2020 general election to an estimated 23 drop boxes in future elections.<sup>54</sup> In 2020, more than 305,000 absentee voters used drop boxes to vote in those four counties.<sup>55</sup> The law also reduces the hours and permissible locations for drop boxes, effectively limiting their availability to business hours only at early-voting sites and county election offices.<sup>56</sup>
- **Florida:** A new law cuts down the locations and hours for drop boxes. In the 2020 general election, most counties provided voters with at least one drop box with 24/7 availability. But in 2022, nearly all drop boxes will only be available during an 8-to-12-hour period.<sup>57</sup> The new law limits drop boxes at early voting sites to use during early voting hours only. These changes could affect the 1.5 million Floridians who voted using a drop box in the 2020 general election.<sup>58</sup>

## Voter ID requirements

Some new laws **impose harsher ID requirements for in-person voting.**

- **Arkansas:** In 2021, the state created new barriers by increasing its voter ID requirements.<sup>59</sup> In prior years, voters arriving at the polls without ID could complete a sworn statement affirming they were registered and cast a provisional ballot. But in 2022, such voters must instead return to the county clerk’s office by the Monday after the election and show qualifying ID for their vote to count.<sup>60</sup> Arkansas lawmakers have also barred the use of non-photo IDs for voting.<sup>61</sup> In prior years, voters with a religious objection to being photographed could use a non-photo ID.
- **Wyoming:** A new law requires people to present qualifying ID to vote in person.<sup>62</sup> Voters in Wyoming previously needed an ID only to register to vote, not to cast their ballot in person.<sup>63</sup>
- **New Hampshire:** A new law would add a significant new barrier to voting and delay election results. Previously, if voters did not provide photo ID or proof of citizenship or domicile while registering on Election Day, they could sign an affidavit attesting to their identity and cast a regular ballot. Under the new law, such voters will receive a conditional “affidavit ballot” and will have to provide documentation within seven days after the election or have their vote voided.<sup>64</sup> The law is expected to delay final election results by up to two weeks.<sup>65</sup>

## Poll workers and partisan poll watchers

Some new laws would **punish poll workers for minor infractions** and **empower partisan poll watchers**.

- **Texas:** Texas’s new voting law makes it a crime for election workers to obstruct partisan poll watchers’ views or distance them in a way that would render observation not reasonably effective.<sup>66</sup> The law risks penalizing election workers for routine conduct and minor slip ups. It may have contributed to widespread poll worker shortages in Texas’s 2022

primary election.<sup>67</sup>

- **Florida:** Florida's new law threatens election supervisors with a \$25,000 fine if they fail to ensure that their staff monitor each drop box at all times.<sup>68</sup> The state previously imposed no such penalty. The law also newly requires election officials to allow partisan poll watchers to monitor the process of examining ballots for signature matching, while imposing no limit on the number of ballots watchers may challenge — creating potential for chaos.<sup>69</sup>

## Elimination of Election Day registration

- **Montana:** A 2021 law eliminates a longstanding state policy that allows eligible people to register to vote on Election Day. Montana voters have relied on Election Day registration to conveniently cast their votes for years.<sup>70</sup>

Overall, these significant changes risk causing confusion for many voters, and — without an adequate supply of accurate information — allowing misinformation to flourish. The main subjects of these recent legal changes — mail voting and voter ID — have become fodder for misleading right-wing media coverage.<sup>71</sup> There is some evidence that the new laws may have already seeded misinformation. For instance, in Texas's 2022 primary election, officials in some of the largest counties did not know they should use state government databases to verify mail ballot applicants' identification under the new law.<sup>72</sup> The Secretary of State's office had provided too little guidance.<sup>73</sup> The resulting errors contributed to staggering rates of mail ballot application rejections.<sup>74</sup> The Texas Governor's office said that county election officials had spread misinformation about the verification process.<sup>75</sup>

# Heightened misinformation risks in the context of election denialism

Baseless denial of the 2020 presidential election results will complicate the election landscape in 2022, increasing the risk that information gaps will lead to misinformation. Threats and harassment are driving out large numbers of veteran election officials and draining communities of their expertise. In many states, misinformation about the 2020 election has become a central plank in current contests for election administrator offices. Since 2020, a handful of election officials have also used the power of their office to compromise or breach election systems. This backdrop raises the stakes for defending against misinformation, making the task of providing voters accurate information more urgent but also more challenging.

A surge in harassment and even death threats, rooted in 2020 election denialism, has prompted many career election officials to resign. By mid-2021, for instance, a quarter of all directors or deputy auditors of elections had exited across 14 counties in southwestern Ohio.<sup>76</sup> In November 2020, a quarter of election officials in Kansas lost or left their jobs.<sup>77</sup> More exits are on the horizon: a recent Brennan Center poll of local election officials found one in five say they are likely to depart before the 2024 presidential election.<sup>78</sup> Those officials most commonly cite stress and false political attacks on the election system as reasons for leaving. Nearly one in three know an election worker who left their job in part because of increased threats, intimidation, or fears for their safety.<sup>79</sup>

The flood of departures will result in lost expertise and leave room for a potential influx of election deniers. Three in five election officials worry that threats and harassment will make it harder to recruit and retain election workers, while more

Nearly **1 in 3** local election officials know an election worker who left their job in part because of **threats, intimidation, or fears for their safety.**

than half are concerned that some incoming colleagues might believe the lie that widespread voter fraud occurred in 2020.<sup>80</sup>

Election officials are traditionally among the most trustworthy sources of election information. But since 2020, some election officials have endorsed false claims of widespread election fraud and attempted to undermine the integrity of elections. A handful have already granted Big Lie proponents improper access to election systems and voting equipment, typically under the guise of attempting to unearth evidence of fraud in the 2020 election.<sup>81</sup> In such instances, trustworthy voter education by nonpartisan civic groups and journalists becomes especially crucial.

At least 17 known breaches or attempted voter system breaches have occurred since the 2020 presidential election.<sup>82</sup> Some of these incidents have involved election officials. For instance, the top local election official in a southern Michigan county flouted state orders to enable routine maintenance work on a voting machine.<sup>83</sup> The county clerk — who promoted QAnon conspiracy theories on social media — fell prey to disinformation claiming that voting machine maintenance would erase evidence that the 2020 election was rigged. In Colorado, a county clerk made a “forensic image of everything on the [county’s] election server” based on instructions from a political activist and known election denier, according to his testimony in a lawsuit.<sup>84</sup> The clerk testified that he then gave the election data to two lawyers. Surveillance camera footage captured the clerk copying the county’s election-related hard drives.

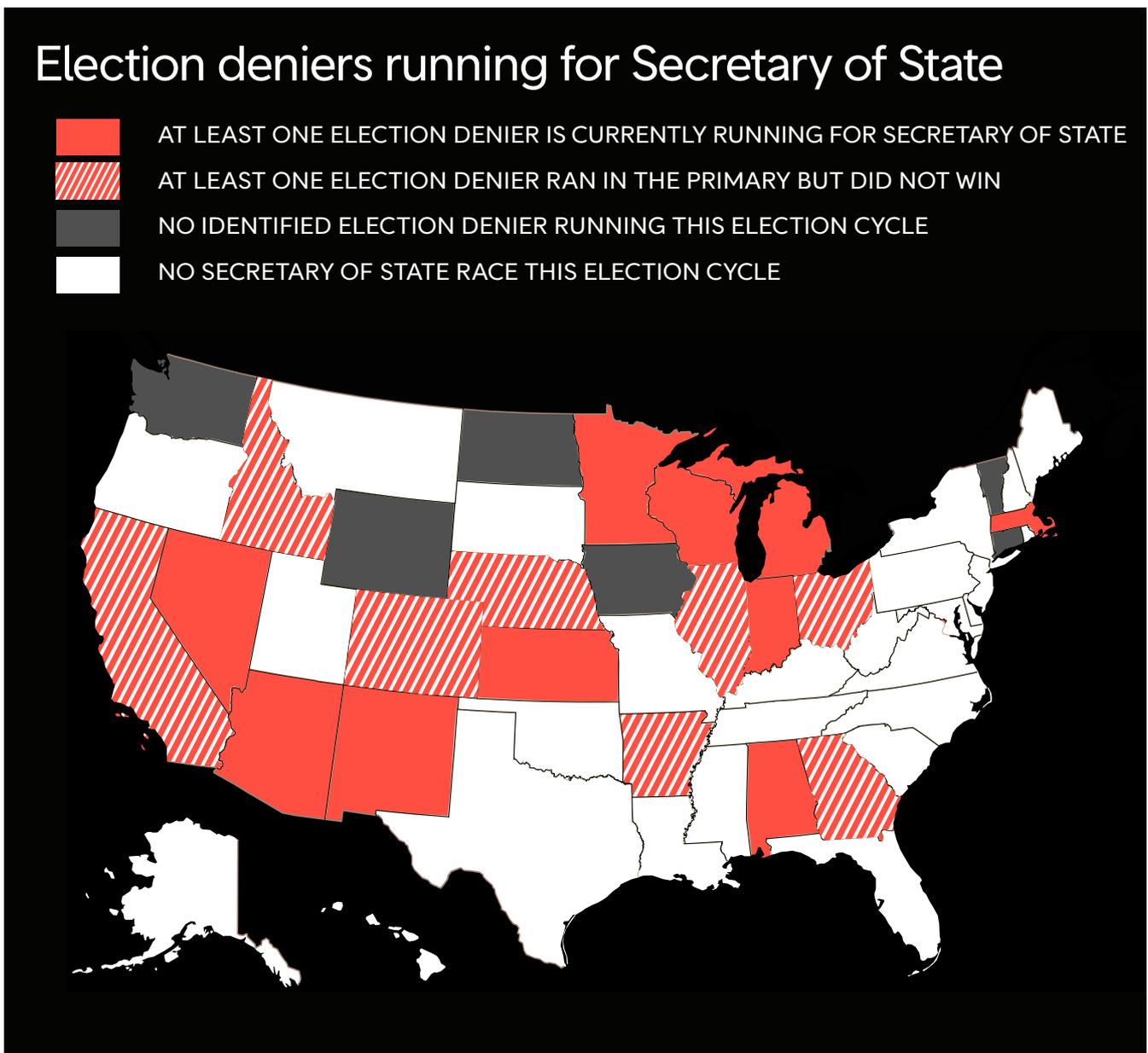
**17**

known breaches or attempted  
voter system breaches have  
occurred since the 2020  
presidential election

Numerous candidates for election administration offices have also embraced false claims of a stolen 2020 presidential election.<sup>85</sup> Among them are candidates for governor, county election boards, and nearly two dozen candidates for secretary of state.<sup>86</sup> Donald Trump’s 2020 postelection demand that Georgia Secretary of State Brad Raffensperger “find 11,780 votes, which is one more than we have,” helped transform the secretary of state position — an essential but historically lower-profile post — into a prominent role.<sup>87</sup>

Two-thirds of all 27 states with a secretary of state race in 2022 have or had at least one election denier in the running for the position.<sup>88</sup>

In all six battleground states with 2022 secretary of state elections — Georgia, Wisconsin, Arizona, Michigan, Minnesota, and Nevada — at least one candidate in the primary or general election has endorsed false claims that the 2020 election was stolen.<sup>89</sup> Their messages encourage people to make sinister assumptions about unfamiliar voting procedures and other new developments in election administration.



# New voters and newly naturalized citizens

Information gaps can specially afflict new voters and newly naturalized citizens, who may be less familiar with American elections than more experienced voters. Newly registered voters are most likely to be Latino.<sup>90</sup> At the same time, disinformation campaigns can target voters of a certain ethnicity or race with particular virulence.

The 2020 presidential election saw myriad examples of malign actors and confused citizens spreading misinformation targeting Latino communities.<sup>91</sup> Election misinformation in Spanish included false claims engineered to intimidate voters, such as specious reports that Immigration and Customs Enforcement would patrol polling locations.<sup>92</sup>

Social media companies have failed to adequately curb this deluge of Spanish election misinformation.<sup>93</sup> In 2022, a spate of new laws aiming to curtail Latino voting power will exacerbate these issues.<sup>94</sup>

# Case study: A Tale of Two Jurisdictions: Texas and Los Angeles County, California

Two jurisdictions — the state of Texas and Los Angeles County, California — offer contrasting examples of how to address significant information gaps facing voters. Texas voters received too little accurate information about major changes to mail voting in its 2022 primary election, after a new law clamped down on election officials' ability to educate voters.<sup>95</sup> Rejections of mail ballots soared to unprecedented levels.<sup>96</sup> By contrast, ahead of California's procedurally unusual 2021 gubernatorial recall election, Los Angeles election officials took proactive steps to educate voters and prepared to nip misinformation in the bud in real time.<sup>97</sup> The election unfolded with remarkably little controversy.

## INADEQUATE VOTER EDUCATION AHEAD OF THE TEXAS 2022 PRIMARY

Information gaps and misinformation plagued Texas's 2022 primary election. In 2021, Texas enacted not just sweeping changes to cut back people's access to the ballot, but also major restraints on officials' and citizens' ability to aid voters.<sup>98</sup> The law has, in effect, barred election officials from giving voters critical information and exacerbated information gaps around voting.

Texas voters and election officials grappled for the first time with the new voting law ahead of the March 2022 primary. Texas's new law made it significantly harder for eligible voters to vote by mail.<sup>99</sup> The new law imposed a new ID requirement for mail voting, compelling voters to list their driver's license number or a partial Social Security number matching their county's files.<sup>100</sup>

In previous years, election officials in Texas had been able to publicize information about voting — including mail voting — through various channels, including government websites and social media.<sup>101</sup> They contacted eligible voters to encourage them to vote by mail, including by outreach to nursing homes.<sup>102</sup> They raised mail voting as an option for eligible people when going door-to-door to register voters.<sup>103</sup> They reached out to disabled voters and voters in jail with information about mail voting.<sup>104</sup>

But the new law barred or constrained some outreach and education activities. It is now a crime to "solicit" mail ballots, with broad-reaching language that could apply to a range of routine voter outreach officials used to conduct.<sup>105</sup> Some election officials therefore cut back efforts to promote mail voting or even educate voters about mail voting, just as major changes to mail voting procedures took effect.<sup>106</sup> The Texas Secretary of

State’s office, meanwhile, provided little guidance about the new rules, resulting in confusion among both local election officials and voters.<sup>107</sup>

Public demand for voting information found an inadequate supply of accurate content.<sup>108</sup> Google search trends ahead of and during Texas’s 2022 primary election showed people seeking information about voting procedures including “mail-in ballots.”<sup>109</sup> But results on Google and YouTube included few high-quality resources from official sources. Video instructions for complying with the new mail ballot ID requirement originated nearly exclusively from unofficial sources.<sup>110</sup> New limits on officials’ educational outreach and the new ID requirement for mail ballots, combined, proved a potent barrier for voters.

Mail ballot rejections skyrocketed compared to past years. In the 2020 general election, Texas rejected less than 1 percent of mail ballots.<sup>111</sup> After the 2021 law, the state rejected 12.4 percent of mail ballots in the 2022 primary election – a more than 1,100 percent increase in rejections from the 2020 general.<sup>112</sup> The state rejected between 6 and 22 percent of mail ballots in the largest counties.<sup>113</sup> The earliest mail ballot senders saw exceptionally high rates of rejection: as of January 18 — a little more than a month before Election Day — roughly 40 percent of ballots had been rejected in Dallas, Tarrant, and Denton counties.<sup>114</sup>

**< 1%**

of mail ballots  
rejected  
in Texas in  
2020 general  
election

**12.4%**

of mail ballots  
rejected  
in Texas in  
2022 primary  
election

On Election Day, information gaps around widespread election staff shortages also facilitated the spread of misinformation. Texas’s new voting law created new criminal penalties for election workers who obstruct poll watchers’ views or distance watchers in a manner that renders their observation not reasonably effective.<sup>115</sup> Voting rights groups and election officials warned that the law would prompt election worker defections — and it appears to have done just that.<sup>116</sup> On Election Day, there was too little up-to-date, accurate information about closures and short-staffed polling locations.<sup>117</sup> Some comments on social media spread false or misleading information, while implying that such problems were part of a conspiracy to manipulate the vote count.<sup>118</sup> Officials’ failure to adequately educate the public likely provided space for speculation and rumors to arise.

## PROACTIVE VOTER EDUCATION AND OUTREACH IN LOS ANGELES COUNTY

The unusual nature of the 2021 gubernatorial recall election in California also created the potential for numerous information gaps to emerge and fuel misinformation. In Los Angeles County, however, officials acted quickly and proactively to help fill information gaps.<sup>119</sup> Their actions offer a roadmap for election officials who want to get ahead of information gaps and help stem the tide of misinformation around elections.

Voters had virtually no prior experience or context to understand the election to recall Governor Gavin Newsom. Prior to 2021, the state had held only one gubernatorial recall election in its history.<sup>120</sup> The election did not take place during a regular election year. The recall ballot itself looked different than regular election

ballots. It comprised two separate questions. The first asked whether Newsom should be recalled. The second asked who should replace him, listing 46 different candidates.<sup>121</sup>

The unusual election presented numerous information gaps for voters. And, given its timing — after post-2020 election disinformation had become common — the potential for misleading narratives to fill gaps was significant.

Los Angeles County election officials acted preemptively to fill these information gaps. Ahead of the election, they ran a voter education campaign to tackle major points of confusion, including how to fill out the unusual ballot.<sup>122</sup> The campaign included videos in multiple languages

The unusual election presented numerous information gaps for voters. And, given its timing — after post-2020 election disinformation had become common — **the potential for misleading narratives to fill gaps was significant.**

across digital channels and broadcast media. Election officials partnered with key media outlets to maximize campaign reach and effectiveness.

During the election, election officials complemented their proactive campaign with a rapid-response plan.<sup>123</sup> They set up an online tip line and designated telephone support to handle issues by drop box location. They monitored social media to be able to quickly address potential misunderstandings.

Los Angeles County elections officials said that these activities and communications allowed them to quickly identify and address information gaps.<sup>124</sup> Their efforts to fill information gaps and combat misinformation around voting garnered substantial engagement on Twitter.<sup>125</sup>

The 2021 California gubernatorial recall election shows that elections with procedural anomalies may be particularly susceptible to information gaps. It also underscores the importance of combining proactive strategies, such as “prebunking” voter education campaigns, with tools that allow election officials to identify and address gaps in real time.

# Recommendations and resources for addressing election information gaps in 2022

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# Recommendations for election officials

Election officials typically are the best sources for accurate information about local election procedures.<sup>126</sup> They can use many methods to minimize voter confusion and information gaps that enable misinformation.

## **RECOMMENDATION #1: PLAN WELL-TIMED VOTER EDUCATION CAMPAIGNS.**

Voters' attention and questions shift during the election cycle, as election officials know. Interest in how to register, for instance, can later shift to questions about where to vote. Voter education campaigns should meet that shifting interest to ensure the supply of information fits real-time demand.<sup>127</sup> Seeking feedback from local voters and community groups can help make education content especially responsive. Recent changes to voting requirements and procedures should figure prominently in public announcements and press releases. Resources created by the U.S. Election Assistance Commission, such as a toolkit on communicating election processes, provide templates and guidance on disseminating education materials.<sup>128</sup>

## **RECOMMENDATION #2: CREATE AND KEEP UPDATED A BANK OF PUBLIC AND PRESS EDUCATION MATERIALS.**

→ Create and maintain a Frequently Asked Questions (FAQs) page. An FAQs webpage will save voters confusion and election officials time. Placer County, California and Virginia, for example, provide FAQs pages that detail each step of important election processes and address election integrity.<sup>129</sup> The page should include links and tools that can help voters find accurate information, such as ways to look up polling places and official election results. Starter materials from reliable sources such as The Elections

Group,<sup>130</sup> the Election Assistance Commission,<sup>131</sup> and a state's chief election official can make the education task easier.

- Create visual aids such as video tutorials and/or infographics or request them from better-resourced state authorities.<sup>132</sup> An increasing number of election officials use short videos to explain voting procedures accessibly. Videos by Hillsborough County, Florida and Boone County, Missouri, for example, show voters what goes on behind the scenes at election offices.<sup>133</sup> Since video production can be costly, local officials should consider encouraging their state associations or chief state election official to make them for use throughout the state. Infographics are an affordable alternative to convey important election information like registration timelines and explainers of election processes.<sup>134</sup>
- Consider publishing a rumor control page to “prebunk” misinformation narratives.<sup>135</sup> Rumor control pages published by the Cybersecurity and Infrastructure Security Agency and the Kentucky Secretary of State’s office are examples.<sup>136</sup> Such pages should avoid linking to misinformation content, which risks letting it amplify.

### **RECOMMENDATION #3: BUILD A NETWORK OF PARTNERS AND MESSENGERS TO AMPLIFY ACCURATE ELECTION INFORMATION IN CASE OF SURPRISES.**

Innocent but frustrating glitches can happen in elections, for instance if aged equipment breaks down. These surprises, if inadequately explained, can become fuel for misinformation. Preparing responses to such circumstances is a critical part of election planning.

- Before crunch time, build relationships and communications channels with key stakeholders such as secretaries of state, community groups, business groups, candidates of all affiliations, and the media.<sup>137</sup> Where languages other

than English are common, election officials should seek partnerships with messengers who can reach such voters and have their trust.

- Identify responsible journalists and public figures willing to amplify important election information.<sup>138</sup> Educate them early about any recent changes to voting or election procedures, and tag them when posting announcements on social media.
- Use resources like the Center for Cooperative Media and the Institute for Nonprofit News to find potential local news partners.<sup>139</sup>

## Recommendations for journalists

Journalists can be crucial to stemming the misinformation risk from information gaps.

**RECOMMENDATION #1:** BEFORE THE ELECTION, CULTIVATE AUTHORITATIVE SOURCES AND PLAN RESPONSIBLE REPORTING TECHNIQUES.

- Identify key election officials and obtain their best contacts for verifying information.
- Find nonpartisan election experts who can help to interpret problems as they arise.
- If reporting on online misinformation, use a “no-follow” link rather than the original to avoid boosting the problem message in search results.<sup>140</sup>
- Consider reporting pre-election stories on confusing or new topics, such as changes in voting procedure, that could fuel misinformation.

- Develop sources in non-English speaking communities and historically marginalized communities to incorporate their experiences of confusion or misinformation in elections.

## **RECOMMENDATION #2: PROVIDE ACCURATE CONTEXT IN ELECTION COVERAGE.**

- When stating “what is possible, clarify what is probable,” as one voting rights advocate has put it.<sup>141</sup> Worst-case scenarios need appropriate context, to avoid causing undue alarm. Technically accurate but uncontextualized information can feed misinformation cycles.
- Consult nonpartisan experts to gauge the significance of any irregularity.<sup>142</sup> Information gaps will emerge as people try to interpret novel election issues. Journalists have the power to provide perspective and explain that anomalous incidents do not necessarily suggest malintent.
- Remind the public that official election results are not instantaneous, and work with local election officials to provide accurate information. Finalizing election outcomes is often slower than voters expect.<sup>143</sup>

# Recommendations for social media and internet companies

Internet and social media companies have tremendous power to reduce the risk of misinformation linked to election-related information gaps.

## **RECOMMENDATION #1: PUBLISH AND AMPLIFY AUTHORITATIVE, ACCURATE, AND ACCESSIBLE INFORMATION ABOUT ELECTIONS.**

- Publish authoritative and accurate information about

upcoming registration deadlines, recent changes to voting laws, and how to vote.<sup>144</sup> This information should appear in voters' preferred languages.

- Promote the accounts of election officials and other authoritative sources, such as offices of secretaries of states and the U.S. Vote Foundation.
- Publish clear, transparent policies to minimize election misinformation content. Do so before election season to avoid misinterpretation of such policies as politically motivated.
- Provide trainings for election officials to elevate accurate content on search engines and social media platforms, including instruction on search engine optimization and use of keywords.<sup>145</sup>
- Push corrective notifications to people targeted with disinformation.<sup>146</sup>

## **RECOMMENDATION #2: CREATE INFRASTRUCTURE TO IMPEDE MISINFORMATION SPREADERS.**

- Provide educational tools and implement algorithmic interventions to increase user awareness and slow the spread of misinformation.<sup>147</sup> Work with partners — such as election officials, democracy experts, and researchers who study misinformation — who can provide expertise related to both content and design.
- Defend election official websites and accounts against hacking and interference. The potential for outside forces to corrupt official election information sources is a grave threat.<sup>148</sup> Arming election officials with cybersecurity measures such as multifactor authentication<sup>149</sup> and anti-phishing procedures can help.<sup>150</sup>

# Recommendations for community-based organizations

Community-based organizations often have something that many do not have: public trust. They can provide accessible, relevant, and even entertaining election information to their constituencies.

**RECOMMENDATION #1: DEVELOP CONTACTS AMONG ELECTION OFFICIALS AND NONPARTISAN VOTING EXPERTS IN ADVANCE OF ELECTIONS.**

Ask local election agencies before voting begins for voter education materials and ombudspople to contact in case constituents encounter problems.

**RECOMMENDATION #2: ARM COMMUNITIES WITH ACCURATE ELECTION INFORMATION AND TOOLS TO IDENTIFY MISINFORMATION.**

- Equip constituents with authoritative information about how to register and vote in their preferred languages and formats.<sup>151</sup> Any recent changes to voting laws or procedures should get extra attention.
- Host digital media literacy trainings to help the public recognize harmful or inaccurate content.<sup>152</sup>

**RECOMMENDATION #3: DEVELOP PARTNERSHIPS THAT CAN HELP EXPAND THE REACH OF COMMUNITY EDUCATION.**

- Develop networks of messengers constituents will trust. Train these messengers on engaging with the community, disinformation intervention, and effective use of social media.
- Contact local journalists, especially to encourage them

to communicate with vulnerable communities that are disproportionately likely to be harmed by mis- and disinformation.<sup>153</sup> They often have the best context for interpreting election information.

## Recommendations for the public

The public faces significant and challenging information gaps when it comes to elections. The latest, accurate information can be difficult to find, much less understand. Because jurisdictions conduct elections differently, information shared on social media or by national news sources is not always helpful to every voter. The following steps can help members of the public find accurate information.

### **RECOMMENDATION #1: MAKE A PLAN TO VOTE, AHEAD OF TIME.**

- Consult the agency in charge of elections in your neighborhood. Understand the latest changes in voting procedures (if any) and use online tools<sup>154</sup> to check voter registration status and sign up for election reminders.

### **RECOMMENDATION #2: HELP TO STOP MISINFORMATION THAT CAN RESULT FROM INFORMATION GAPS ABOUT ELECTIONS AND VOTING.**

- Learn to recognize online misinformation, identify suspicious activity and build news literacy.<sup>155</sup>
- Out of context, election information might seem suspect, especially if local voting procedures have recently changed. Seek out that context and other election information from legitimate sources: election officials, established news outlets, and trusted community organizations.
- Take care to share accurate voting information with social, civic, and faith networks.<sup>156</sup>

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# Endnotes

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