**Adia Sambe-Quee:** [00:00:00] Civics 101 is supported in part by the Corporation for Public Broadcasting.

**Hannah McCarthy:** [00:00:04] The first time I ever voted and this is not an exaggeration. I was shaking with anticipation. I waited in line, walked up to the poll worker, gave them my name, got my ballot again, butterflies in my stomach. And then I stepped into the booth, pulled the curtain closed behind me. My heart is actually racing at this point. And I filled out my ballot so excruciatingly carefully because God forbid, I mess up and they don't count it right. And then finally, lightheaded from the sheer excitement of it, I walked that ballot over to the ballot box, feed it in, get my I voted sticker and then.

**Nick Capodice:** [00:00:48] Then?

**Hannah McCarthy:** [00:00:49] And then, I don't know all that anticipation, all that energy and excitement, all for what? My ballot just disappears into this black box and [00:01:00] my job here is done. And now I go home and watch the election night returns. And I wonder.

[00:01:05] Did my vote actually count and how do I know?

[00:01:12] Am I one of those hundreds of thousands of votes under that candidate's name in my state? Where did my ballot go? Who read it?

**Nick Capodice:** [00:01:21] So the first time you voted, you had an existential crisis.

**Hannah McCarthy:** [00:01:24] And I didn't really solve it until about a week ago. This is Civics 101. I'm Hannah McCarthy.

**Nick Capodice:** [00:01:29] I'm Nick Capodice.

**Hannah McCarthy:** [00:01:30] And we are about to find out how a vote goes from your mind to the ballot to the count, to the election of the people in charge of us.

**Maggie Toulouse Oliver:** [00:01:38] So, you know, this is where the sausage making of the election process comes into play.

[00:01:44] This is Maggie Toulouse Oliver.

**Maggie Toulouse Oliver:** [00:01:46] New Mexico secretary of state. I was elected and basically immediately began serving as secretary of state in December of twenty sixteen. Prior to that, I was the county clerk in Bernalillo County, [00:02:00] which is the Albuquerque metropolitan area for 10 years. So I ran the elections there at the ground level.

**Nick Capodice:** [00:02:05] And as secretary of state, she also oversees elections at the state level, right?

**Hannah McCarthy:** [00:02:09] Yes. In New Mexico, the elected secretary of state, is also the chief election official. It's that way in a lot of other states, too. But sometimes the chief election official is actually an individual or a commission appointed by the governor. Sometimes it's the lieutenant governor. Sometimes it's a commission appointed by the legislature. And that's what you need to keep in mind throughout this episode. There is no one way we do elections in the United States. The Constitution is clear on this one. Elections are up to state legislators.

[00:02:42] The one thing that is consistent and extremely secure ballot processing process.

**Maggie Toulouse Oliver:** [00:02:48] What looks like a very simplistic process to a voter is actually an extremely complex process on the back end. And it's that way by design. First of all, your ballot when it comes into the custody [00:03:00] of the election officials. So when you're putting it into a voting machine or when it's received back through the mail at your county clerk or at your local election officials office, it goes then into a very strict chain of custody. It's going to be time stamped. It's going to be put in a locked ballot box. This is overseen at all times, either by your local election official staff or by your bipartisan group of election officials.

**Nick Capodice:** [00:03:26] It sounds like all that first Election Day nervousness was warranted in a way, you're taking part in a complex, high stakes process.

**Hannah McCarthy:** [00:03:35] It was actually a relief to me to learn about this process. It was a reminder of exactly how seriously states take Election Day.

[00:03:44] And when it comes to what does happen to my ballot, once I mail it in or feed it into the ballot box?

**Maggie Toulouse Oliver:** [00:03:50] Whether it's separating them from their envelopes, getting them ready to feed into a voting machine, every single one is going to be accounted for one by one. If there is a discrepancy, [00:04:00] your election officials are going to go back and try to account for that discrepancy. What happened? You know, oh, actually, we received an envelope back but didn't have a ballot in it. Right. And make that notation. And there's a whole process post election that most folks don't know about the canvass of the election, which is basically an audit. And what your election officials and those bipartisan boards are doing is going back and doing exactly this, what we call reconciliation to ensure at the end of the day that every single ballot was indeed counted. And if it wasn't, why?

[00:04:35] And to be able to explain, you know, it was rejected or it was spoiled or or what the reasoning is so that we literally have a record in place for every single ballot cast.

**Nick Capodice:** [00:04:45] I'm listening to this painstaking process and I'm thinking to myself, OK, but everyone is saying this year, 2020 is going to be different because way more states are making mail and voting available to everyone. We just don't know [00:05:00] how smoothly or quickly the counting process is going to go.

[00:05:03] Well, let's start with that mail in ballot itself.

**Casey McDermott:** [00:05:06] Whether your ballot is mailed, whether your ballot is hand delivered to a local election official, once it arrives at your local clerk's office, it stays in a vault until the day of the election.

**Nick Capodice:** [00:05:21] Oh, Casey!

**Hannah McCarthy:** [00:05:22] Yes, this is Casey McDermott, someone who we are lucky enough to work with at New Hampshire Public Radio. She covers and very well, I might add, voting and elections for the station and reminded me that, yes, those mail in ballots are super protected.

**Casey McDermott:** [00:05:37] One person actually told me that their vault is fireproof.

**Hannah McCarthy:** [00:05:41] Depending on your state.

[00:05:43] You were either automatically mailed in absentee mail in ballot or had to request one by the deadline. Now, for most states, that deadline is mid-October, though some allow an application as late as November 2nd or 3rd. And depending [00:06:00] on your state, you may have needed an excuse of some kind like illness or physical limitation to. Qualify for absentee voting and again, depending on your state, you may be required to have a witness sign your ballot as well.

[00:06:14] That ballot then goes into an envelope, which then goes into another security envelope and you sign it and you send it in either by the United States Postal Service or depending on the state and your preference, dropping it off in person at an election office or at an official outdoor ballot box.

**Casey McDermott:** [00:06:31] So the absentee ballot arrives inside an envelope, inside another envelope. And preprocessing allows local election officials to open that first outside envelope. And what they can do is they can look at that inner envelope that holds the absentee ballot. They can't open that inside envelope to look at someone's votes, but they can look at the the envelope that holds the ballot to make [00:07:00] sure, for example, that it's signed. They can look at the person's name on the ballot to make sure that they meet the requirements to vote in that community. They can get a lot of the stuff that they normally wouldn't have to wait until Election Day to do. They can get a lot of that done before the day of the election. But the ballots are not taken out of the inside envelope until Election Day and they're not counted until Election Day.

**Hannah McCarthy:** [00:07:26] I should clarify that is the mailing process in New Hampshire.

**Nick Capodice:** [00:07:29] Don't say it. Let me guess. It depends on the state.

**Hannah McCarthy:** [00:07:32] It does. Certain states allow vote counting up to two weeks before the election, but the vast majority don't allow counting until the polls close.

**Nick Capodice:** [00:07:42] I got one more mail in ballot question. We did this whole episode on how tax the Postal Service has been since the pandemic started. And yet all these ballots being mailed, some of them from states where you can request a ballot as late as the eve of Election Day or Election Day itself. So that means some ballots will be arriving [00:08:00] after Election Day.

**Miles Parks:** [00:08:03] In general, this election, the thing that voters need to understand the most is that absentee ballots take longer to count than in-person votes.

[00:08:13] That's not a bad thing, though. That's not something that people should be freaked out about.

**Hannah McCarthy:** [00:08:17] This is Miles Parks. He covers voting for NPR. I reached out to him after watching a video he made about ballot counting post-election. That was basically a gentle PSA to not lose your mind if you don't know who the president is on election night.

**Miles Parks:** [00:08:33] Let's take a step back here.

[00:08:35] None of these things are mistakes or problems, really, even if some people want to make it seem like they are.

**Hannah McCarthy:** [00:08:41] Between mail in ballots, different state rules for processing and various deadlines for receiving a ballot. The whole thing is probably just going to take longer this year.

**Miles Parks:** [00:08:53] I had an election administration expert say basically it's like if you had to write thank you cards for your [00:09:00] Christmas gifts and you get 10 Christmas gifts, you're like, oh, that's fine. All right, ten Christmas cards. But then you like next year, you just wake up and you have a thousand Christmas gifts.

[00:09:10] Like the act of writing a card is not difficult, but the act of doing it a thousand or in the case of some of these counties, twenty thousand, thirty thousand envelopes to be opened. Even just that those little things add up to take a lot more time.

**Hannah McCarthy:** [00:09:24] I do you want people to keep in mind it's not like election officials are totally unprepared for election night. Maggie Oliver brokedown, New Mexico's process for me, for example.

**Maggie Toulouse Oliver:** [00:09:34] So in my state, our county clerks are actually already actively in the process of accepting absentee ballots back and making sure the required voter information is is attached to that ballot so that it can be qualified starting as many as 10 days and as few as five days before Election Day. County clerks will assemble their absentee precinct boards and begin the actual process [00:10:00] of counting, processing and counting those ballots.

[00:10:04] The goal will be that. Fast forward to election night at 7:00 p.m. when our polls close here, county clerks will be able to begin posting early voting totals right away as the Election Day result totals are coming in throughout that evening, posting those as those come into them and then as quickly as possible, posting as many absentee voting results as they can. And of course, the more ballots that we have factored into those totals, the more likely we are to be able to say with confidence what the outcomes of those elections are going to be on election night.

**Nick Capodice:** [00:10:42] Ok, so some states may very well be able to tell us the winner on election night.

**Hannah McCarthy:** [00:10:45] It all depends on how the legislature and the election officials have decided the process is going to work. But still, we will almost certainly not have a clear winner on election night.

[00:10:56] Here's Miles again.

**Miles Parks:** [00:10:57] A couple states, especially a couple [00:11:00] of battleground states, Pennsylvania, Wisconsin, Michigan. The laws have not been adjusted to basically catch up with the fact that there is going to be so many more mail ballots. So election officials in these states are kind of have their hands tied behind their backs. They can't even open those envelopes. They can't do any of that processing work until either on Election Day. They can start doing that. In Michigan's case, that just passed a law that allows election officials to do it the day before the election. But regardless, that's going to put these local election officials in a really tough spot where they're going to be like having to open all of these ballots, check all these signatures, do all this work, you know, working 20 hours in a row. Twenty four hours in a row, four days in a row to try and get all these absentee ballots counted.

**Nick Capodice:** [00:11:46] I can't help but anticipate that with a little bit of dread, Hannah, because I'm used to knowing on election night who the president is going to be.

[00:11:53] Yeah, maybe you have to stay up a little later on certain years or maybe the other candidate doesn't make their concession speech for a day [00:12:00] or two. Or there was that long, endless night in 2000 where there's a bunch of hanging chads in Florida. But that wait this year is going to be tough.

**Hannah McCarthy:** [00:12:09] Miles reminded me that the winner of the presidency, who we learn about on election night, that isn't based on a complete count of the votes. That's just a network projection on election night.

**Miles Parks:** [00:12:20] We have never known the actual results. We've known unofficial results about who was going to win, who is projected to win, and those projections because of all the absentee ballots that are coming in, because they take longer to count and because it's harder for some of these media companies to model this out. Those projections might take a little longer this time around.

**Hannah McCarthy:** [00:12:43] Here is the thing about that lag time, though. It is true that you shouldn't freak out. It's true that the waiting period is a sign that all votes are being counted, but there's a good chance the delay will be misinterpreted.

**Miles Parks:** [00:12:58] I can guarantee you that the [00:13:00] longer it takes for us to have a result that. People have confidence in whether that's from media organizations they trust or from election officials. The longer that takes, the more conspiracy theories are going to happen. That is like the pinnacle of everything that makes a good conspiracy theory is like happening at that moment. At the same time, people have a political interest in forwarding those conspiracy theories, even people who are potentially running for office. You know, we've seen this we saw it in twenty eighteen in Florida where then Governor Rick Scott was running for a Senate seat. He was ahead by a bunch of votes after Election Day and then a couple of days after, which is normal, the absentee ballots were still being counted in some of the bigger jurisdictions. He comes out and does a does a press conference where he basically accuses the election officials of fraud, says, you know, I don't know why my lead is dwindling. I don't know where these absentee ballots are coming from.

**Hannah McCarthy:** [00:13:57] Mistrust in the election process comes from a [00:14:00] lot of places, politicians sometimes so mistrust when things aren't going their way. You know, something must have gone wrong here because I'm not winning or something will go wrong with this type of voting. And it won't be legitimate. But it also comes from the voter experience. I spoke with Matt Lamb, an assistant professor at Austin Community College, about this. What might make one person's election experience different from another's?

**Matt Lamb:** [00:14:28] Let's take states where they require voter I.D., African-Americans and Latinos or Latinos are less likely to have a voter I.D. than white voters, and even when they do, they're less likely to have the type of voter ID that can be quickly verified. And what I mean by that is here in Texas, we if you get a driver's license, it has a magnetic strip on [00:15:00] it that can be easily swiped. And your information comes up on the computer and it's and that's that. Well, in the state of Texas, African-Americans are statistically less likely to possess a driver's license if you have another type of ID, even if it is acceptable. Usually they don't have that magnetic strip. So what does a poll worker have to do? They have to pull out their poll book. They have to look up that person's records. And, you know, that can take time, especially if there's some question as to whether or not the actual ID presented meets state requirements.

[00:15:36] And so one of the misconceptions, I think, about the disparities in polling places is that they are inherently intentional, that public officials try to create disparities in polling place conditions.

[00:15:55] And no, I can't prove that it's not going on, at least [00:16:00] to some degree. I think it's far more likely that elections officials sometimes make assumptions about populations that just don't hold true on the ground.

**Nick Capodice:** [00:16:11] But you do hear people blame the city or blame the state when, for example, polling places close. I know that since 2016, something like 20000 polling locations have closed. And some states like California, Kentucky, North Dakota, they've closed over half of their locations, which then means less accessibility, especially, it seems, in communities with majority minority populations.

**Hannah McCarthy:** [00:16:39] Which followed a weakening of the 1965 Voting Rights Act in 2013.

[00:16:44] The Supreme Court said states no longer have to prove to the federal government that election law changes are not discriminatory. And this is an important distinction to make. There are election officials like Secretary of State Maggie [00:17:00] Oliver. And then there are the legislators, the people who make the election law in a state as they are empowered to do by our Constitution.

[00:17:10] And politics certainly does play a part in the state legislature.

[00:17:14] But the people actually running the election?

**Matt Lamb:** [00:17:17] In terms of the actual administrators, the county clerks, the elections, divisions of counties and local jurisdictions, believe it or not, even the ones that are elected, they take their fiduciary responsibility to make the voting process as smooth and as accessible as possible. Very seriously, they are ultimately accountable to their local jurisdictions, to their friends and neighbors. They want people to vote. They want anybody who is eligible and wants to vote to be able to vote.

**Hannah McCarthy:** [00:17:53] That said, if you have to wait in line for hours and hours and then deal with voter I.D. issues that [00:18:00] make you feel mistrusted, then you have had a bad customer experience with your government. But what you can do is show election officials how they should prepare for the future. You do that by turning out to vote and voting for the legislator who you want in charge of your election law.

**Nick Capodice:** [00:18:17] This is basically you saying, like, I want to talk to the manager. So if election law changes in our favor, maybe we'll start to trust elections a little more. But I do wonder, what is all this mistrust and elections mean for our country? My big takeaway so far is that we have more reason to trust the process than to not write. There are lots of problems, but they can be corrected. So how do we deal with all that rhetoric out there that says election night this year is going to be a sham?

**Hannah McCarthy:** [00:18:50] Here's Miles again.

**Miles Parks:** [00:18:51] The biggest thing is that that I've been trying to preach is that we over the last 20 years have seen [00:19:00] an overall decline in confidence in the legitimacy of our elections. And that was always a very abstract thing to me when I heard about, like professors talking about it's really important for people to have faith in, like how elections work and that they're fair. And that's really the case when you start talking about a peaceful transfer of power, not necessarily going down any conspiracy rabbit holes of if like what President Trump would do if he were to lose and all that stuff. But just in terms of the real possibility of violent unrest, considering how polarized the country is, and I think people need to really connect in their brains when they share on social media a theory about any thing about elections being fraudulent or being questionable or votes being suppressed for nefarious purposes.

[00:19:58] There are real issues [00:20:00] with our election system. But people need to understand that there also has to be a baseline of confidence for us to live in a peaceful country.

**Hannah McCarthy:** [00:20:09] One last thing, Nick, and this was something Casey McDermott and Maggie Oliver both said, which finally settled that black box. What next question that I used to have about my ballot in the election.

[00:20:23] This is actually a transparent process. Officials aren't trying to do things behind your back.

**Maggie Toulouse Oliver:** [00:20:30] Most folks don't understand how transparent our election processes actually are. There is literally nothing that happens in an election in the United States behind closed doors. There is always either a bipartisan group of local election officials who really are just volunteers from your local community who are engaging in the process of helping election officials run the election. Or there are observers, watchers from political parties, from candidates, from third party organizations, [00:21:00] from academic institutions that are observing the election process to make sure that everything is going the way that it's supposed to, that it's following the law, that all of the I's are being dotted and T's are being crossed.

**Casey McDermott:** [00:21:11] I was talking to a local election official recently and just asking, what do you make of all of the rhetoric around elections and whether or not they can be trusted lately? And she was like, well, I just ask them, do you trust your neighbors? And maybe they don't trust their neighbors and maybe they have other reasons for not trusting their neighbors. But in general, remember, your neighbors are the ones that are doing this. And I think that's a really good gut check for a lot of people.

**Nick Capodice:** [00:21:40] All right, chin up, vote and believe in it.

[00:21:44] And remember that your election officials know more about the election than your friends on Facebook. So give them a call. It is their job to help you.

[00:22:02] This [00:22:00] episode was produced by me, Hannah McCarthy, with Nick Capodice. Our team includes Jackie Fulton.

[00:22:08] Erica Janik transmits all communication official or no in double-signed envelopes. Music in this episode by Florian Decros, Silent Partner, Scanglobe, Revolution Void, Paddington Bear and Emily A. Sprague. We're here for you and only here because of you and you know, democracy and its beautiful, maddening complications. If you have questions about this country, any questions, no matter how small, no matter how obvious the answers may seem. Ask us. We will make an episode for you. Send us an email at Civics101@nhpr.org. Civics 101 is supported in part by the Corporation for Public Broadcasting and is a production of NHPR, New Hampshire Public Radio.