

# Mail-in Voter Fraud Was Rampant in 2020

## Here's How to Stop It in Future Elections

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## TALKING POINTS

## THE PROBLEM

- In November and December of 2023, The Heartland Institute and Rasmussen Reports conducted a landmark survey of voters that found one-in-four mail-in ballots could have been cast illegally in the 2020 presidential election.

- Among other results, the survey found ...

**17%** mail-in voters admitted to voting in state where they are no longer a permanent resident”

**21%** of mail-in voters admitted that they filled out a ballot for a friend or family member

- When the findings of the 2023 Heartland Institute/Rasmussen voter fraud survey are applied to the known data about the 2020 election ...

**it appears highly likely that Donald Trump, not Joe Biden, would have won the presidential election, had mail-in ballot fraud been prevented from occurring.**

## TALKING POINTS

## THE SOLUTIONS

- The best way to prevent mail-in balloting is to require all voters who are physically able to vote in person to do so.
- A second good approach to limiting mail-in ballot fraud is to mandate that mail-in voters have their ballot signatures verified by a notary. A notary is a public official who has been trained and authorized to approve the validity of signatures and the identities of those signing documents.
- Many legal, real estate, adoption, and other kinds of documents and contracts already require signatures to be notarized before being accepted by major institutions or government agencies.
- Another valid but much less secure option would be to mandate that mail-in ballot envelopes include the address and signature of an adult witness, who would attest under law that he or she saw the voter sign the ballot envelope.
- Three states already require a notarized signature for mail-in ballots: Mississippi, Missouri, and Oklahoma.
- Nine states, *not* including those states that mandate the use of a notary, require at least one witness signature (some require two): Alabama, Alaska, Louisiana, Minnesota, North Carolina, Rhode Island, South Carolina, Virginia, and Wisconsin.

# Mail-in Voter Fraud Was Rampant in 2020

## Here's How to Stop It in Future Elections

In November and December of 2023, The Heartland Institute and Rasmussen Reports conducted a landmark survey of voters, which former President Donald Trump called “the biggest story of the year” and “the most important poll released in the last 20 years.”<sup>1</sup> According to the results of the survey, a massive number of voters who cast ballots by mail admitted to committing at least one form of voter fraud in the 2020 election.

Some of the most important findings from the poll include:

- Seventeen percent of mail-in voters admitted that in 2020 they voted in a state where they are “no longer a permanent resident.”
- Twenty-one percent of mail-in voters admitted that they filled out a ballot for a friend or family member.
- Seventeen percent of mail-in voters said they signed a ballot for a friend or family member “with or without his or her permission.”
- Nineteen percent of mail-in voters said that a friend or family member filled out their ballot, in part or in full, on their behalf.

Immediately following the publication of the poll, several of Heartland’s analysts, myself included, reported that when taken together, the results of the 2023 Heartland/Rasmussen survey suggest that one-in-five mail-in ballots cast in the 2020 presidential election were likely fraudulent.<sup>2</sup> As shocking as it might sound, this was a *conservative* estimate, because, among other reasons, our initial analysis did not include the most comprehensive set of data from Rasmussen’s survey. We settled on the “one-in-five” figure because one of the fraud questions on its own

yielded a result of 21 percent, creating a floor for mail-in fraud in the election.<sup>3</sup>

In a subsequent, comprehensive report, published in January 2024, Heartland’s Jack McPherrin, Chris Talgo, Donald Kendal, James Taylor and I published a more detailed study about the Heartland/Rasmussen voter fraud survey.<sup>4</sup> After receiving the raw survey data from Rasmussen and engaging in a thorough review, we were able to determine that the poll showed more fraud than we initially reported,

a conclusion that has since been confirmed by Rasmussen. We determined that 28.2 percent of respondents who voted by mail admitted to at least one kind of voter fraud, which means that more than one-in-four ballots cast by mail in 2020 could have been fraudulent, not one-in-five, as we initially asserted.

Our report further showed that if one applies the results of our survey to the known data about the 2020 election, there is a high likelihood that had mail-in ballot fraud been severely limited, Donald Trump would have won the election. In fact, as our study shows, of the 29 different scenarios presented in the study, Trump wins the Electoral College in all but three. Thus, we

concluded that the best available evidence strongly suggests that mail-in ballot fraud significantly impacted the 2020 election, in favor of Joe Biden.<sup>5</sup>

The reasons behind the widespread voter fraud discovered in our survey are likely many and varied, but they share at least one commonality: mail-in voter fraud was relatively easy to commit in many states in 2020. And, unfortunately, the same is true today. Although some states have passed reforms of their election laws in the wake of the controversies surrounding the 2020 race, few have put reforms into place that would truly safeguard future elections from mail-in ballot fraud.

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For example, only a few states have policies in place that would catch mail-in ballot fraud occurring within a household. If, for instance, a spouse were to cast a ballot on behalf of his or her husband or wife, it is highly unlikely that ballot would ever be identified as fraudulent, despite the fact that Americans are not allowed to give away their votes, even to family members.

Some might claim that signature verification processes would prevent this kind of fraud, but in many instances, it likely would not. According to a report by the National Conference of State Legislatures (NCSL), last updated March 15, 2022, only 27 states require and conduct signature verification.<sup>6</sup> And just three states require that a mail-in voter have their ballot signature notarized, the gold standard for verification.<sup>7</sup>

Moreover, many states that already do require and conduct signature verification relaxed their policies for the 2020 presidential election. For instance, according to *The Detroit News*, Michigan Secretary of State Jocelyn Benson “instructed clerks who were matching signatures that they ‘must perform’ their duties under the ‘presumption’ that the signature is valid and uphold the signature’s validity if there were ‘more matching features than nonmatching features.’”<sup>8</sup> Michigan—a tightly contested battleground state in which 3.3 million mail-in ballots were cast in the 2020 presidential election<sup>9</sup>—ultimately rejected only 20,480 ballots, or 0.7 percent all mail-in ballots submitted.<sup>10</sup>

Further, even if a signature is identified as potentially problematic in a state’s signature verification process, most states do not automatically throw the ballot out. The NCSL reports, “Almost two-thirds of states require election officials to notify voters when there is a missing signature or a signature discrepancy—and require that voters must be given an opportunity to correct it.”<sup>11</sup>

This process has the advantage of allowing voters who made an honest mistake to fix a ballot that

contains an error, but it also allows people who vote using others’ ballots within a single household—as well as friends and distant family members—to get away with fraud, because it is unlikely a person would admit a family member or friend filled out his or her ballot and thus committed fraud. The vast majority of states have absolutely no procedures in place to deal with this problem. In fact, as of January 2024, of the 10 highest-scoring states in The Heritage Foundation’s current “Election Integrity Scorecard,” only two—Oklahoma and Missouri—have adopted policies designed to prevent this kind of fraud.<sup>12</sup>

It is also very difficult in many situations to identify when, for example, a person living and working in State A fraudulently votes by mail in State B by using the address of a close friend or family member, especially if the person committing fraud previously resided at the address located in State B. Driver’s licenses and other IDs do not provide the bullet-proof verification that many state officials suggest they do. Many people take months or even years to get a new ID after leaving a state. This is especially true among young American adults.

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### Policy Recommendations

There are only two ways to ensure that mail-in ballot fraud does not have a substantial impact on future elections. The first is simply to require that most people vote in person, unless they have a good

excuse, such as a physical disability that would prevent someone from easily traveling. Although this remains the best option for stopping mail-in fraud from having an outsized effect on election results, in some states, mandating most voters go to polls in person is not a realistic option. In those cases, the second method of improving election integrity should be strongly considered: lawmakers could pass legislation that make mail-in voting significantly more secure.

The best way to prevent fraud in mail-in balloting is to require that mail-in voters have their ballot signatures verified by a notary. A notary is a public

official who has been trained and authorized to approve the validity of signatures and the identities of those signing documents. Many legal, real estate, adoption, and other kinds of documents and contracts require signatures to be notarized before being accepted by major institutions or government agencies. Most bank branches and many government offices have notaries available. Additionally, many banks offer the service for free to their customers with active accounts.

States that choose to require a notarized signature for mail-in ballots might also consider a policy that makes government notaries available for free for mail-in voters, or perhaps a program that reimburses notary costs related to verifying ballot signatures. State lawmakers could also consider programs that provide notaries remotely, or that send notaries to homes in extraordinary circumstances. The costs of these and other, similar programs should be minimal, but even if they were not, lawmakers should not put a price limit on election integrity.

Three states already require a notarized signature for mail-in ballots: Mississippi, Missouri, and

Oklahoma.<sup>13</sup>

Another valid but much less secure option would be to mandate that mail-in ballot envelopes include the address and signature of an adult witness, who would attest under law that he or she saw the voter sign the ballot envelope. Nine states—with varying political, ideological, and demographic compositions—currently require a witness signature on ballot envelopes, *not* including those states that mandate the use of a notary: Alabama, Alaska, Louisiana, Minnesota, North Carolina, Rhode Island, South Carolina, Virginia, and Wisconsin.<sup>14</sup>

The 2023 Heartland Institute/Rasmussen voter fraud survey shows that mail-in ballot fraud remains a significant issue, one that must be addressed if Americans are to have confidence in the validity of elections in 2024 and beyond. There are simple legislative options to solve this vital problem; the only question that remains is: will lawmakers act?

# Endnotes

- 1 See Justin Haskins et al., “Heartland/Rasmussen Poll: One-in-Five Mail-In Voters Admit to Committing at Least One Kind of Voter Fraud During 2020 Election,” heartland.org, The Heartland Institute, December 13, 2023, <https://heartland.org/opinion/heartland-rasmussen-poll-one-in-five-mail-in-voters-admit-to-committing-at-least-one-kind-of-voter-fraud-during-2020-election>.
- 2 The full results of the survey are available at the following source: Justin Haskins et al., “Heartland/Rasmussen Poll: One-in-Five Mail-In Voters Admit to Committing at Least One Kind of Voter Fraud During 2020 Election,” heartland.org, The Heartland Institute, December 13, 2023, <https://heartland.org/opinion/heartland-rasmussen-poll-one-in-five-mail-in-voters-admit-to-committing-at-least-one-kind-of-voter-fraud-during-2020-election>.
- 3 Twenty-one percent of mail-in voters in the Heartland/Rasmussen survey admitted that they filled out a ballot for a friend or family member. In most, but not all, situations, that would constitute fraud. In many states, there are exceptions for people with disabilities, for example.
- 4 Jack McPherrin et al., “Who Really Won the 2020 Election? Measuring the Effect of Mail-in Ballot Fraud in the Trump-Biden Race for the White House,” The Heartland Institute, February 2024, [https://heartland.org/wp-content/uploads/2024/02/Feb-24-2020-Election-Analysis-vWeb\\_Final.pdf](https://heartland.org/wp-content/uploads/2024/02/Feb-24-2020-Election-Analysis-vWeb_Final.pdf)
- 5 Jack McPherrin et al., “Who Really Won the 2020 Election? Measuring the Effect of Mail-in Ballot Fraud in the Trump-Biden Race for the White House.”
- 6 “Voting Outside the Polling Place,” National Conference of State Legislatures, ncs.org, updated March 15, 2022, <https://www.ncsl.org/elections-and-campaigns/table-14-how-states-verify-voted-absentee-mail-ballots>.
- 7 “Voting Outside the Polling Place,” National Conference of State Legislatures.
- 8 Beth LeBlanc, “Judge rules Benson’s ballot signature verification guidance ‘invalid.’” The Detroit News, March 17, 2021, <https://www.detroitnews.com/story/news/politics/2021/03/15/judge-rules-secretary-state-bensons-ballot-signature-verification-guidance-invalid/4699927001/>
- 9 “Audits of the November 3, 2020 General Election,” Michigan Department of State, April 21, 2021, [https://www.michigan.gov/-/media/Project/Websites/sos/30lawens/BOE\\_2020\\_Post\\_Election\\_Audit\\_Report\\_04\\_21\\_21.pdf?rev=a3c7ee8c06984864870c540a266177f2](https://www.michigan.gov/-/media/Project/Websites/sos/30lawens/BOE_2020_Post_Election_Audit_Report_04_21_21.pdf?rev=a3c7ee8c06984864870c540a266177f2)
- 10 “2020 EAVS Data Brief: Michigan,” U.S. Election Assistance Commission, December 19, 2023, [https://www.eac.gov/sites/default/files/EAVS%202020/State%20Data%20Briefs/2020\\_EAVS\\_Data\\_Brief\\_MI\\_508c.pdf](https://www.eac.gov/sites/default/files/EAVS%202020/State%20Data%20Briefs/2020_EAVS_Data_Brief_MI_508c.pdf)
- 11 “Voting Outside the Polling Place,” National Conference of State Legislatures.
- 12 Kevin Roberts et al., “Election Integrity Scorecard,” The Heritage Foundation, last accessed January 10, 2024, <https://www.heritage.org/electionscorecard/pages/contributors.html>.
- 13 “Voting Outside the Polling Place,” National Conference of State Legislatures.
- 14 “Voting Outside the Polling Place,” National Conference of State Legislatures.