PART ONE
Voter Qualification and Participation

CHAPTER 1
Immigration, Citizenship, and the 2020 Census
C. ROBERT HEATH

I. Drawing Districts Is Inherently Political 3
II. Changing the Apportionment Base to the Advantage of One Party 4
III. The Possibility of an Eligible-Voter Apportionment Base Metric 5
IV. When There Would Be a Need to Reconfigure the Census 7
V. A Citizenship Question and the 2020 Census under the Trump Administration 9
VI. Adding the Question Did Not Conform to Census Bureau Requirements 10
VII. The Secretary’s Stated Rationale for Adding the Citizenship Question Does Not Stand Up to Scrutiny 12
VIII. The Secretary’s Decision to Add the Citizenship Question Is Overturned by the District Court 13
IX. The Supreme Court Resolves the Issue 13
Notes 15
CHAPTER 2
Strict Construction of Voter Registration Laws: Georgia’s Experience in 2018
KRISTEN CLARKE
JULIE HOUK
JOHN POWERS
I. Introduction
II. Voter Registration in Georgia under State and Federal Law
III. Georgia’s First Attempt at Voter Registration Database Matching
IV. Georgia’s Post-Morales Voter Registration Verification Matching Process
V. Litigation Challenging Exact Match 2010
VI. Exact Match 2017 Was Enacted in the Wake of the Supreme Court’s Decision in Shelby County v. Holder
VII. The Legal Challenge to Exact Match 2017 (H.B. 268)
VIII. Post-Election Federal Lawsuit Challenging Systemic Voter Suppression in Georgia, Including “Exact Match”
IX. Status of “Exact Match” in the Wake of the Enactment of H.B. 316 in 2019
X. Conclusion
Notes

CHAPTER 3
Too Broke to Vote: How Florida’s Felon Re-enfranchisement Law Penalizes the Poor
NANCY G. ABUDU
I. Introduction
II. The Historical Use of Poverty as a Barrier to the Ballot Box
III. Florida’s Historic Passage of the Voting Restoration Amendment
IV. Conclusion
Notes

CHAPTER 4
Millennials and Electoral Access in 2018–2020
LAUREN E. WARD
BENJAMIN E. GRIFFITH
I. Introduction
II. Millennials, Baby Boomers, and Voter Turnout
III. Millennial Voter Suppression Tactics: A Review of Recent Case Law and Statutory Authority
IV. Conclusion
Notes
CHAPTER 9
Cybersecurity Threats to Election Systems and Development of Best Practices 137
LUCY L. THOMSON
   I. Hacking Democracy: Threats to Free and Fair Elections 137
   II. The Path Forward: Steps to Strengthen Election Systems and the Development of Best Practices 144
   Notes 148

CHAPTER 10
Ranked-Choice Voting: Maine’s Experience 155
PETER J. BRANN
   I. Introduction 155
   II. Explanation of Ranked-Choice Voting 155
   III. Ranked-Choice Voting Outside of Maine 157
   IV. Ranked-Choice Voting in Maine 158
   V. Conclusion 164
   Notes 165

CHAPTER 11
Voter Fraud Claims in America: A Historical Review of How Voter Fraud Claims Have Shaped Policy and Affected Voters 171
ALLEGRA LAWRENCE-HARDY
MAIA COGEN
   I. History of Voter Fraud Claims and Legal Maneuvers to Counteract Alleged Claims 172
   II. The Reality of Voter Fraud and Vote Stealing Claims 178
   III. Impact of Voter Fraud Claims on Voter Turnout 179
   Notes 181

CHAPTER 12
Potential Legal Pitfalls for the 2020 Elections 185
TREVOR POTTER
OLIVIA N. MARSHALL
   I. Candidate Campaigns: Coordination with Outside Groups 185
   II. Corporations: In-Kind Contributions 188
PART THREE
Voting Rights Litigation

CHAPTER 13
For the People Act of 2019 (H.R. 1): Unpacking the Most Comprehensive Democracy Reform Package since Watergate

SEAN J. WRIGHT

I. Introduction 197
II. Major Elements of H.R. 1 198
III. Conclusion 205
Notes 206

CHAPTER 14
Criminal Enforcement of the Election Laws: Lessons from 2016 and What to Expect in 2020

KEVIN PAULSEN

I. Introduction 211
II. Foreign Interference in the 2016 Election 211
III. “Catch and Kill” in 2016 and the Cohen Guilty Plea 217
IV. Conclusion 222
Notes 222

CHAPTER 15
Section 2 Vote Dilution in 2018 and Beyond, with Emphasis on State Legislative Redistricting

TOMMIE CARDIN
PARKER BERRY

I. Introduction 227
II. The VRA and the Demise of Section 5 227
C H A P T E R  1 9
The New Redistricting Math: Establishing Fair Districts  297
GOWRI RAMACHANDRAN
DARA GOLD
I. Introduction  297
II. Measures of Substantive Fairness  299
III. Outlier Analysis  303
IV. Determining Intent with Outlier Analysis  305
V. Future Directions  311
Acknowledgments  312
Notes  313

P A R T  F I V E
Audits and Recounts

C H A P T E R  2 0
Risk-Limiting and Ballot Image Audits  319
THOMAS W. RYAN
I. Overview  319
II. Risk-Limiting Audits  320
III. Ballot Image Audits  327
IV. Advantages and Disadvantages of Auditing Methods  330
V. Conclusion  332
Notes  333

C H A P T E R  2 1
Recounts: The New Reality Two Decades after Bush v. Gore  335
CHRISTINA E. BUSTOS
CHRIS SAUTTER
JOHN HARDIN YOUNG
I. Introduction  335
II. The Courts Grapple with the Meaning of Bush v. Gore  336
IV. Conclusion  342
Notes  344

Table of Cases  349
Index  355