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# West Virginia's Forgotten Voters

*Rural Voters in West Virginia Need Accessible  
Voting Methods and Automatic Voter Registration*

**SECURE**    
**DEMOCRACY**



**Secure Democracy is a nonpartisan, nonprofit organization that works to build confidence in our elections and improve voter access across the United States. Our goal is to support local election officials and state lawmakers to balance election integrity with voter freedom when it comes to policy making to ensure our country continues to be a beacon of democracy for the entire world.**

Following the unprecedented 2020 election, state legislatures introduced a tidal wave of bills across the country. In the 2021 legislative sessions, more than 2,500 election-related bills were introduced all around the country.

Those voters most impacted by the restrictive election-related legislation currently moving across the country are often the voters who comprise our country's most underserved and historically oppressed communities: notably our rural citizens.

Rural voters make up a huge proportion of West Virginia's voters, especially in comparison to other states. This report provides a glimpse into the demographics and voting patterns of West Virginia's rural counties and recommends policies to further expand access to all voters.

# Who Are West Virginia's Rural Voters?

***Rural voters are older, whiter, more likely to be experiencing poverty, less likely to register to vote, and highly likely to vote Republican.***

In West Virginia, the National Center for Health Statistics Urban-Rural Classification Scheme identifies zero of the state's 55 counties in the most urban category and 26 in the most rural category. These rural counties contain 22% of West Virginia's population or an estimated 396,000 inhabitants. Of the 396,000 West Virginia residents who live in rural counties, an estimated 315,000 are voting-age citizens, with 276,000 registered voters.

In West Virginia's 26 rural counties, 97.1% of residents are white. Compared with residents of all other counties, residents of the most rural counties are less likely to have a high school diploma and are less likely to have a four-year college degree or higher. In rural counties, 27% of voting-age adults are over 65, and 26% have a disability. Residents of the most rural counties are less likely to be in the labor force and more likely to be unemployed. They also have lower median household incomes compared to residents of more metropolitan counties. Sixteen percent of people living in rural counties are experiencing poverty.

The most rural counties exhibit a relatively low percentage of turnout among citizens of voting age (regardless of whether those citizens are registered voters). Registered voters, though, have

## WEST VIRGINIA RURAL VOTERS

97%

are white

27%

are over age 65

16%

are experiencing poverty

26%

live with a disability

9%

are veterans



a turnout rate comparable to more metropolitan counties. In other words, eligible adults in West Virginia's rural counties do not register as often as eligible adults in more urban counties, but turn out in similar proportions once registered.

West Virginia voters, on the whole, uniformly prefer Republican candidates, with no counties voting for President Joe Biden over former President Donald Trump in 2020. Within that environment, rural counties show an even deeper commitment to Republican candidates. In the 2020 general election, Republicans received nearly 77% of the vote in rural counties, compared to Democrats, who received just under 22%. This lopsidedness — where Republican votes outnumber Democratic votes by more than 3-to-1 — is greater than the margins seen in more metropolitan areas.



## West Virginia's Current Voting Laws

***Rural voters increasingly rely on the flexibility of current West Virginia law but would benefit from even greater freedom when casting their ballots. State elections would likely see increased turnout following the successful implementation of automatic voter registration.***

West Virginia currently offers all voters the choice to vote in one of two ways: in person at their Election Day precinct or in-person during early voting, which begins thirteen days before Election Day and runs through the Saturday before Election Day. West Virginia also offers mail voting to people with valid excuses under the law, which include confinement due to disability, illness, injury, extremely

advanced age, incarceration, or home detention; or due to absence from the county during all in-person voting hours due to personal travel, business travel, or attendance at a place of higher education.<sup>1</sup> During the 2020 general election, mail voting was more widely available, because the Secretary of State clarified that concerns over COVID-19 were a valid excuse for voting absentee.<sup>2</sup>

West Virginia began implementing automatic voter registration for people interacting with the Division of Motor Vehicles after passing a bill mandating it in 2016.

### **Voting Before Election Day**

In West Virginia in 2020, 47.9% of all votes cast in rural counties were cast before Election Day, either by voting absentee by mail or early in-person. In some rural counties, pre-Election Day voting was even more popular. For example, 58% of voters in rural Upshur County voted before Election Day in 2020, along with 57% of voters in Jackson and Summers Counties. Overall, in 23 out of 26 rural counties in 2020, at least 40% of voters voted before Election Day. Early voting, regardless of method, was high in rural counties even before 2020. In 2016, 33.2% of ballots in rural counties were cast before Election Day.

Nearly

**1 in 2**

votes cast in West Virginia rural counties in 2020 were cast before Election Day.

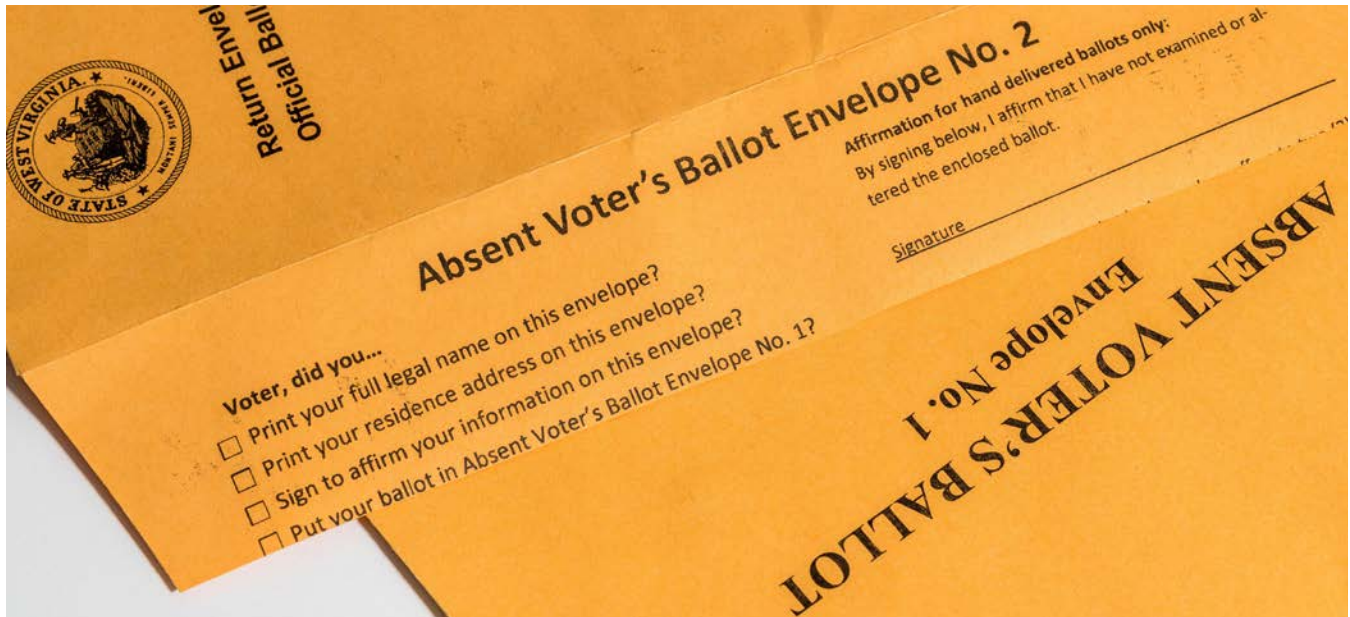
### **Early In-Person Voting**

West Virginia's current early in-person voting days have been available since 2011.<sup>3</sup> It is a popular option statewide, with a robust 10-day early voting period and mandatory Saturday early voting hours. Early in-person voting has been very popular among rural voters. 2020 proved no exception, with 33.1% of rural voters



using early in-person voting, a number that was comparable to previous years. Notably, some rural counties had higher early voting rates in 2016 than some metropolitan counties had in 2020, during the COVID-19 pandemic.

In the general elections in 2016 and 2018, the Friday and Saturday before Election Day (the final two days of early in-person voting) were the most popular days for early in-person voting. In 2020, the Friday before Election Day was the most popular day, and the Saturday before Election Day was the third most popular day for early voting.



## **Mail Voting**

Before 2020, rural voters did not use mail voting extensively. The need for a voter to have a qualifying excuse and the lack of alternative drop-off locations besides election offices likely deterred voters from mail ballots. However, in 2020, when COVID-19 made mail voting widely available, utilization increased for rural voters, indicating an appetite for mail voting among these voters. Virtually all rural counties used mail voting at higher percentages in 2020.

In 2020, rural counties saw mail voting rates between 6 and 22 percent of votes, a significant increase from 2016 across all counties. The 2020 uptick in voters' utilization of mail ballots and early in-person voting is not a reflection of partisanship, as voters in all rural counties in West Virginia are supermajority Republican.

Mail voting and early in-person voting are particularly critical for military personnel on active duty away from home and many disabled veterans. In 2020, 22% of active duty and veteran voters voted by mail and an additional 34% voted early in person.





## **Threats to Rural Voters Gain Traction in the State Capitol**

The West Virginia Senate passed sweeping election legislation in 2021. Several provisions would have restricted voting for rural voters if passed, including provisions that would have:

- **Eliminated the most popular days of in-person early voting** by shifting the early voting period to run from 17 days before Election Day through the 7th day before Election Day, instead of the current early voting period of 13 days before Election Day to 3 days before Election Day. In 2020, 33.1% of rural voters used early in-person voting. The days proposed to be eliminated include the days which have been, historically, the most popular days of early voting.
- **Created an unnecessarily early absentee ballot application deadline** by changing the date to apply for an absentee ballot from six days before Election Day under current law to 11 days before Election Day.
  - In 2020, nearly 15% of rural voters voted absentee by mail.
  - In 2016, 12% of absentee ballot requests were received in the absentee ballot request period that lawmakers proposed to eliminate.



- In 2020, nearly 7,000 ballot requests, about 5% of the total ballot requests for that year, were received in the period that this legislation proposed to eliminate.
- **Threatened voters with cancellation of their registration for failure to vote in a single midterm election.** Specifically, the proposed legislation would have required county clerks to send address confirmation notices to any voters who have not voted or updated their voter registration in the past two years. Under current law, these notices are sent if a voter has not voted or updated their information in the preceding four years. In half of rural counties, at least one-third of people who cast votes in 2020 did NOT vote in 2018. In McDowell County, for example, 40% of 2020 voters did not vote in 2018.

## **Policy Recommendations to Level the Playing Field for Rural Voters**



***West Virginia lawmakers should implement policies to expand rural voters' access to popular voting options like early voting and mail voting. Voter registration should be accessible and the implementation of automatic voter registration should consider challenges specific to rural voters. Rural voters should not have their registration canceled solely for exercising their right to not vote in a particular election.***

### **Expanded voting method options**

- ✓ **Extend the early voting period through the day before Election Day.** Early in-person voting was utilized by approximately one-third of rural voters in 2016 and 2020. Historically, the days closest to Election Day are the most popular days. Adding additional days adjacent to these popular days will create more access. 25 states



provide in-person early voting after the Saturday before Election Day, the current last day for early voting in West Virginia.

- ✓ **Eliminate excuse-based mail voting.** In rural counties, utilization of mail voting increased six-fold from 2016, when strict excuses were required for mail voting, to 2020, when mail voting was more widely available because of the inclusion of COVID-19 concerns as an excuse. 33 states allow all voters to cast a ballot by mail without needing an excuse.
- ✓ **Give mail voters due process via notice and an opportunity to cure problems with mailed ballots.** In 2016, 1.3% of all mailed ballots were rejected. Under existing law, election officials do not provide voters notice and an opportunity to cure minor defects with their mail ballots. Often, senior voters and voters with disabilities are disproportionately affected by ballot rejection due to the mis-transcription of information or signatures that change over time. 29 states provide voters notice and cure opportunities for mail ballot issues, including Texas, Indiana, and North Dakota, all of whom enacted cure provisions in 2021.
- ✓ **Provide voters convenient, secure locations to return their ballots in person.** West Virginia currently does not allow voters to return their ballots to any location other than a clerk's office. For rural voters living in remote areas with sporadic mail service, the lack of a convenient, secure location to return their mail ballots can require a long trip to a clerk's office many miles away to return their ballots. 42 states provide voters some alternative drop-off locations for mail ballots.
- ✓ **Maintain the current mail ballot application deadline.** Axing the final five days current law allows voters to apply for mail ballots could eliminate the ability of up to one in eight applicants who typically apply in those final days. Last-minute issues with work, family, or health can cause a voter who otherwise planned to vote in-person to need the ability to cast a mail ballot.

### **Voter list maintenance**

- ✓ **Eliminate non-voting as a reason to purge a voter.** Requiring voters to vote every two years before being subject to purge could affect one-third of voters in many of the state's most rural counties. If non-voting continues to be a basis, using the current four-year period would be less disruptive to rural voters.

More generally, clerks in rural areas face unique challenges to make sure that the voters they serve have the same access to democracy as voters in more populous areas. Lawmakers must provide rural clerks with sufficient resources to address these challenges.

# **Methodology**

Except where otherwise noted, “rural” counties are those counties designated as “Non-Core (Rural)” according to the National Center for Health Statistics Urban Rural Classification Scheme for Counties. Data on rural citizen voting-age population is from the U.S. Census 2020 special tabulation; demographic and socioeconomic attributes of counties are from the American Community Survey 2015-2019 5-Year estimates, some of which were accessed through the IPUMS National Historical Geographic Information System. Data on partisan vote share is from the U.S. Election Atlas. Data on vote method, registration, and turnout by county is from turnout and supplemental absentee statistics reports published by the West Virginia Secretary of State. Data on vote method is from 2020 and 2016 Election Assistance Commission Election Administration and Voting Surveys from 2016 and 2020.

## **Endnotes**

- 1 W. Va. Code § 3-3-1(b) (2020).
- 2 W. Va. Secretary of State, Eligibility for Absentee Voting in West Virginia, 3 (2020), <https://sos.wv.gov/FormSearch/Elections/Informational/Absentee%20Voting%20Eligibility%20Summary.pdf>.
- 3 W. Va. Code § 3-3-3(a), amended by 2011 W.V. S.B. 581, effective Mar. 12, 2011.