

To: Interested Parties

From: Sean McElwee and Alexandria Sousa

Re: Republican Voters Will Trust Legislatures That Declare a Trump Win, Despite Competing Results From Media and Election Officials

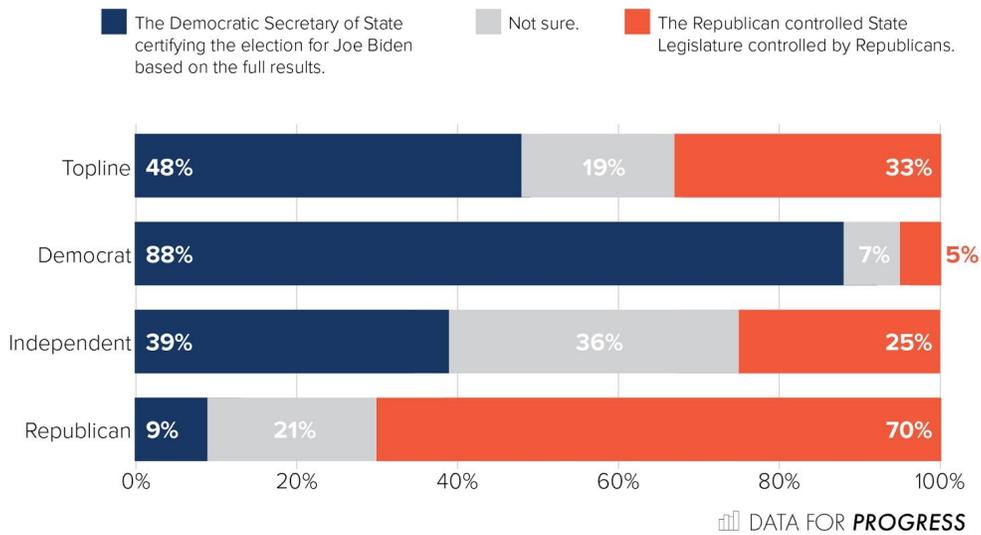
Date: 10/13/2020

A new poll from The Justice Collaborative Institute and Data For Progress shows that in the event of a contested election that comes down to a single swing state, such as Pennsylvania, Republican voters would trust the Republican-controlled legislature of that state even if the Democratic Secretary of State and major media outlets *including Fox News*, called the election for former Vice President Joe Biden.

Specific Findings:

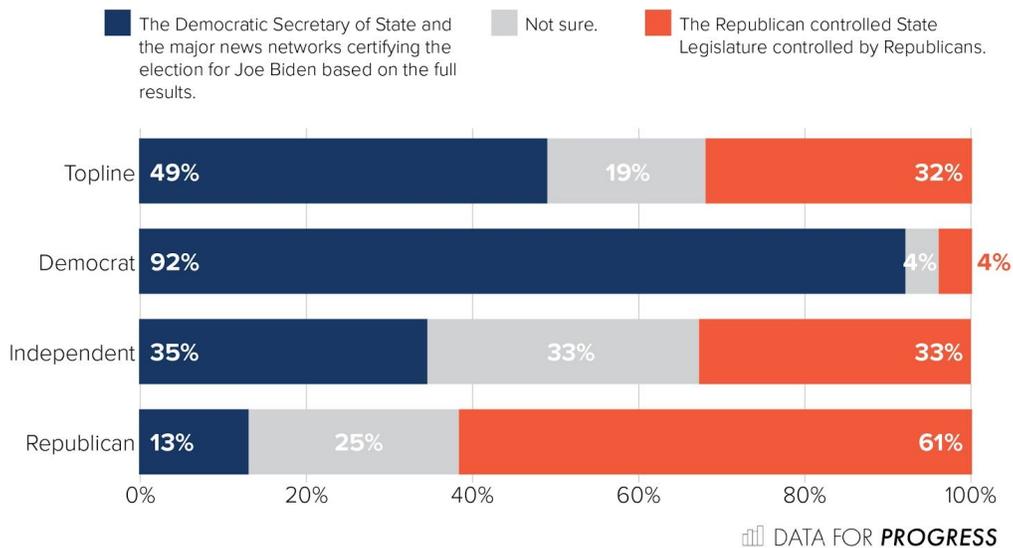
- 70% of likely Republican voters would trust the Republican-controlled state legislature if they call the election and send a slate of electors for President Donald Trump to the electoral college, even if the Secretary of State had already certified that former Vice President Biden won the state.

A possible scenario: Early returns on election night show President Trump with a narrow lead in Pennsylvania based on the results cast on election day. However, millions of mail-in votes need to be counted and the counting will take up to a week. President Trump and his campaign claim victory based on the results from election night, however major news networks refrain from declaring victory. As the mail-in results are being counted, former Vice President Biden pulls into the lead, and when all votes are counted, they indicate Biden has gotten more votes in Pennsylvania. The Secretary of State in Pennsylvania, a Democrat, certifies that Biden has won the state. The Trump campaign, however, sues to stop the results from being certified, alleging massive voter fraud with the mail-in results. The state legislature in Pennsylvania, which is controlled by Republicans, votes to send a slate of electors for President Trump to the electoral college. If this scenario were to happen, who do you think you would be more likely to trust:



- Even if the Democratic Secretary of State and major news networks *including Fox News* made the call that former Vice President Joe Biden had won the presidency, 61% of likely Republican voters would still trust the Republican-controlled state legislature if they ignored these announcements and sent a slate of electors to the electoral college to vote for President Donald Trump anyway.

If this scenario were to occur, and all the major news networks including CNN, Fox News, and MSNBC all declared former Vice President Biden the winner, would you be more likely to trust:



Key takeaway:

These results come amidst rising concern that President Donald Trump and swing state Republican-controlled legislatures will attempt to overturn the results of the election by appointing illegitimate Trump electors to the Electoral College. If they do, Congress will be forced to vote to decide which electors—the legitimate electors certified by the state’s governor or the illegitimate slate appointed by the legislature—to count. This scenario is especially likely in key swing states such as Pennsylvania, Michigan, and Wisconsin, where there is both a Democratic Governor and a Republican-led state legislature.

President Donald Trump has repeatedly refused to commit to accepting the results of the election, but he can only successfully carry out this unconventional strategy if the Republican-led state legislatures were to cooperate. It’s unlikely that Republican legislatures will try to install a defeated Trump in the White House for another four years without support from the Republican base. Our polling suggests that they are likely to find that support.

Methodology:

From 10/7/2020 to 10/8/2020, Data for Progress conducted a survey of 1,138 likely voters nationally using web panel respondents. The sample was weighted to be representative of likely voters by age, gender, education, race, and voting history. The survey was conducted in English. The margin of error is +/- 3 percentage points.