

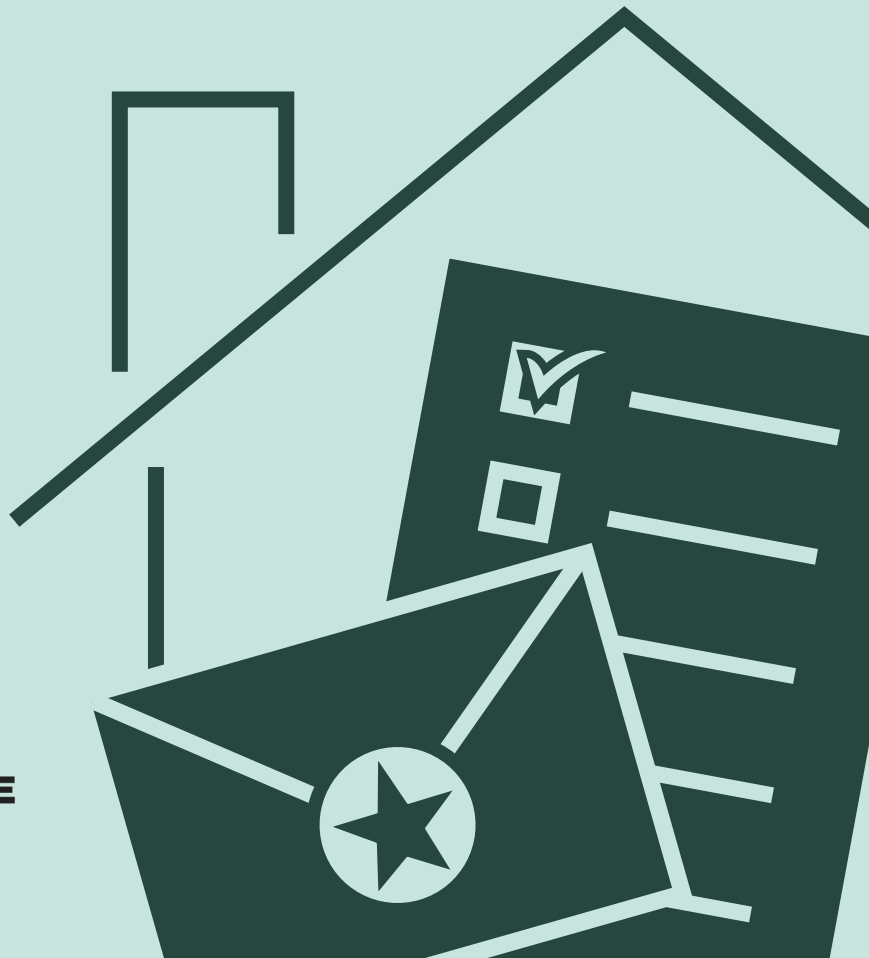


July, 2020

Vote By Mail for Secure Elections in 2020 — and Beyond

A Step-by-Step Guide for Utah

In-depth materials and guidelines for local election administrators, secretaries of states, legislators, and advocates to help Utah handle more mailed-out ballots.



Sightline
INSTITUTE

VOTE at HOME

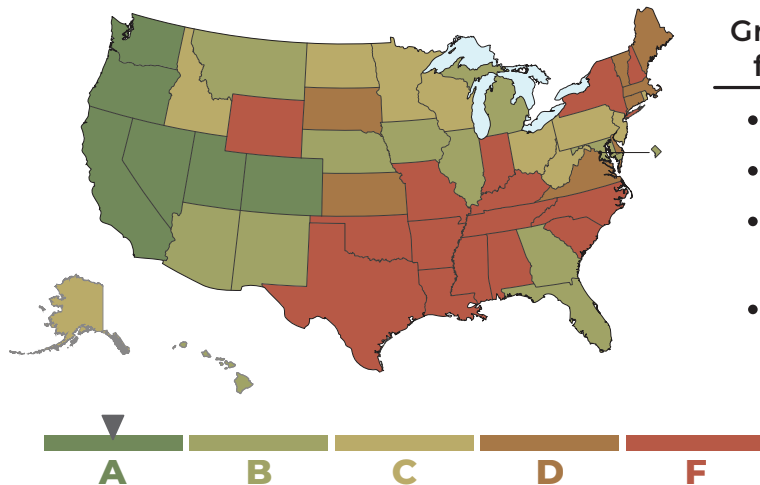
www.Sightline.org/SecureElections2020

Voting in Utah



Utah has more than 1.6 million registered voters in its 29 counties, ranging from 692 in Daggett County to 602,461 in Salt Lake County. In 2018, 87 percent of Utahns voted absentee, ranging from 4 percent in Emery County to 99 percent in Wasatch County. Of that election's 761 poll workers, 28 percent were age 60 or older—an age group at a higher risk for severe illness from COVID-19.

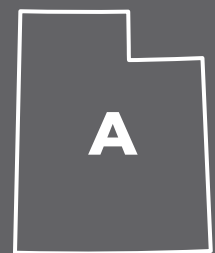
One-third of registered voters cast votes in the March 3 presidential primary. In April, Governor Gary Herbert signed legislation converting the state's June 30 primary to an all-mail election, eliminating polling places and same-day voter registration. All registered voters received ballots in the mail, and seven counties offered drive-up voting locations. Initial results showed that 46 percent of registered Republicans cast ballots in the Republican gubernatorial primary—far surpassing the 2016 turnout. Many Utah counties already conduct elections primarily by mail; in 2016, 21 counties voted primarily by mail.



Grades based on 15 factors covering

- Ease of access
- Ballot security
- Election infrastructure
- Administrative efficiency

Utah's grade for Vote By Mail preparedness



Ways in which Utah is already prepared



- Gives voters sufficient opportunity to cure signature problems.
- Allows any voter to request an absentee ballot.
- Is a member of the Electronic Registration Information Center (ERIC).
- Offers voters a "single sign-up" option to permanently vote by mail.
- Uses voters' signatures to verify ballots.
- Allows county clerks to start processing ballots sufficiently early.
- Allows voters to register and request an absentee ballot online.
- Automatically registers voters and updates their address.

Who We Are

Sightline is a nonpartisan nonprofit think tank with a 25-year history. We are based in the Pacific Northwest, where many states already conduct all-mail elections. We are grateful for feedback and research from many policy experts, elections officials, and leaders committed to safe, secure democracy, particularly the National Conference of State Legislators and the [National Vote at Home Institute](#).

The Moment

American election officials face an urgent challenge to secure the 2020 elections. As poll workers and voters grapple with the coronavirus pandemic, many jurisdictions are already unable to find enough workers to run their usual polling places, and many Americans are seeking to cast their ballot from home, rather than risk contagion in a crowded polling place in November.

About This Resource

We hope that Utah election officials, advocates, and legislators will find this resource useful as they work to handle more Vote By Mail ballots in 2020 and beyond.

Local election officials and **secretaries of state** will find in-depth information including practical nuts-and-bolts advice, materials and guidelines from election administrators with experience in conducting all-mail elections, and information about vendors and costs.

Legislators will find tried-and-tested policies, along with sample language from states that have successfully implemented those policies. Even if Utah lawmakers don't act in time for November 2020, the experience of hastily trying to secure elections this year may create a greater political appetite for reforms to strengthen democracy in Utah beyond 2020.

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For Local Election Officials

1. Coordinate with USPS®.

To ensure that the United States Postal Service (USPS) is able to process ballots in a timely manner, election administrators can [contact their local USPS](#) election mail coordinator to discuss the design, timing and volume of election materials.¹ USPS can review all materials to ensure that the design, wording, and colors meet their guidelines, and sign off on the printer's proofs. Election administrators can also discuss the date, time, and location for delivery of ballots to the post office to ensure that the post office is prepared. For example, before each election, King County, Washington, election administrators send a letter to USPS alerting them to the number, type, and timing of ballots they expect to deliver.²

USPS may also be able to help election administrators access the National Change of Address Linkage (NCOA) to update voters' addresses. Utah is already a member of the Electronic Registration Information Center (ERIC), which uses NCOA data to help Utah keep voter lists up to date. However, because voters may have moved since Utah's last update, local officials can access NCOA for their voters' latest address information. Having the most up-to-date addresses will ensure that each ballot reaches the right voter, reducing the costs of re-mailing ballots.

Resources

- To find a local point of contact at USPS: [Election/Political Mail Coordinators](#).³
- [USPS Election Mail Kit](#).⁴
- [USPS Election Mail guidelines](#).⁵
- To report problems to USPS: [electionmail.org](#).⁶
- Center for Tech and Civic Life's 2020 [webinar](#) on [best practices for tracking and reporting](#), and the [slides](#).⁷
- Cybersecurity and Infrastructure Security Agency's (CISA) guidance on [Managing an Increase in Outbound Ballots](#)⁸, pp. 67-70.

¹ <https://about.usps.com/gov-services/election-mail/political-mail-map.htm>

² <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip> (see "Ballot mailing" folder, "Example of USPS Notification Letter.pdf")

³ <https://about.usps.com/gov-services/election-mail/political-mail-map.htm>

⁴ <https://about.usps.com/kits/kit600.pdf>

⁵ <https://about.usps.com/gov-services/election-mail>

⁶ <https://electionmail.org>

⁷ <https://www.techandcivillife.org/vote-at-home>

⁸ <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=56>

- [Vote at Home Policy and Research Guide](#), p. 19.⁹

Example Guidance Language

- Oregon [Vote by Mail Procedures Manual](#), pp. 26-30.¹⁰
- Municipality of Anchorage [Vote by Mail Project](#).¹¹
- Ohio Secretary of State [Election Official Manual](#), pp. 5-22.¹²

2. Design ballots and envelopes that are easy to use.

Well-designed envelopes, ballots, forms, and instructions help voters fill out their ballots and return them without mistakes, decreasing processing time and minimizing the chance that ballots will be flagged, thrown out, or not counted. In contrast, poorly designed instructions or ballots may cause voters to fill out their ballot incorrectly or incompletely so that their vote is not counted.¹³

Ensure that election materials are easy so that voters who may be voting by mail for the first time don't make mistakes. For example, those who are new to mailing their ballots may not know that they need to sign the outside of their envelope, so putting their name under the signature line and providing simple and clear instructions to sign there can help prompt them and reduce the number of ballots that need extra processing time. (Also, pre-filling the absentee ballot request form can help voters complete it correctly.)

Color-coded envelopes can help USPS sort the mail quickly and accurately, and including space for voters' contact information can help election officials reach voters promptly in the event of a missing signature or discrepancy.

Another important way to assist voters is to design and distribute voter education booklets to help guide them through the process. (For example, when Anchorage, Alaska, moved to all-mail elections in 2018, in addition to a robust [community education campaign](#) and a [voter information flyer](#), the city extended an elections call center's hours in the month leading up to the election.) To reach all voters, make all voter materials and the elections

⁹ <https://www.voteathome.org/wp-content/uploads/2019/03/VAH-Policy-and-Research-Guide.pdf#page=19>

¹⁰ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=26

¹¹ https://www.muni.org/departments/assembly/clerk/elections/documents/vote%20by%20mail%20project%20final%20report%20mas%201026%20annual%20report_030819.pdf#page=5

¹² https://www.ohiosos.gov/globalassets/elections/directives/2019/dir2019-11_eom.pdf#page=197

¹³ https://www.washingtonpost.com/video/opinions/dont-let-mail-in-voting-be-thwarted-by-badly-designed-ballots/2020/05/18/1cce7c56-5312-44a8-afa9-fb813970f854_video.html

website available in multiple languages. The Brennan Center for Justice estimates that the cost for voter education materials is between [\\$0.50 and \\$0.88 per person](#).

Resources

- The Center for Civic Design’s¹⁴ [design guidelines for election officials](#), based on solid research and best practices (includes resources on designing envelopes and forms, such as vote at home [envelopes and information](#), a field guide to [designing vote at home envelopes and ballots](#), Vote By Mail [envelope design](#), [writing ballot instructions voters can understand](#), and [creating forms that help voters take action](#)).¹⁵ Also see its guidelines for [designing voter education booklets and flyers](#), [creating accessible online information](#), and [providing materials in multiple languages](#).¹⁶
- Center for Tech and Civic Life’s 2020 [webinar](#) on [best practices for envelope design](#), and the [slides](#).¹⁷
- USPS guidance on [designing election mail](#).¹⁸
- Center for Tech and Civic Life’s 2020 [webinar](#) on [best practices for preparing supplementary materials](#), and the [slides](#).¹⁹
- CISA’s [Voter Education Guidance](#).²⁰

Example Legislative Language

Revised Code of Washington [29A.40.091](#). Envelopes, declaration, and instructions—Voter’s oath—Overseas and service voters—Return of ballots—County auditor’s name.²¹

Ballots and envelopes must have the election date printed on them. Return envelopes must have space for the voter’s telephone number so that the elections office can contact the voter if their signature does not match the one on file.

¹⁴ Jurisdictions in Arizona, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Minnesota, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin have worked with the Center for Civic Design, and one in four voters have used their designs.

¹⁵ <https://civicdesign.org/fieldguides>

¹⁶ [Ibid.](#)

¹⁷ <https://www.techandciviclelife.org/vote-at-home>

¹⁸ <https://about.usps.com/election-mail/design-election-mail.htm>

¹⁹ <https://vimeo.com/393307242> and <https://www.techandciviclelife.org/wp-content/uploads/2020/01/PDF-VAH-Webinar-2-Preparing-helpful-supplementary-materials.pdf>

²⁰ https://www.cisa.gov/sites/default/files/publications/election_education_outreach_absentee_508.pdf

²¹ <http://lawfilesext.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1520-S.SL.pdf>

Revised Code of Washington [29A.36](#). Ballots and other voting forms.²²

See code for detailed guidance on formatting, contracts with vendors, sample ballots, and instructions.

Example Guidance Language

- Washington State [Ballot Format Checklist](#) 2019.²³
- Washington Administrative Code [434-230](#). Ballots.²⁴
- Washington Administrative Code [434-230-010](#). Sample Ballots.²⁵
- Colorado [Elections Division Policy and Procedure Manual](#), p. 26.²⁶
- Oregon [Vote by Mail Procedures Manual](#), p. 23.²⁷

3. Implement robust signature verification.

California election officials already have experience in verifying signatures to protect against fraud while avoiding mistaken voter disenfranchisement.²⁸ As election administrators handle more mail-in ballots due to COVID-19, officials may take several steps to implement efficient and effective signature verification.

First, digitize the voter signatures already on file. The more digitized signatures, the more accurate the verification can be.²⁹ Signatures can come from each voter's registration, their absentee ballot request form, prior mailed ballots, or their signatures on file with the Department of Motor Vehicles (DMV) or other state agencies.

Second, train enough workers to inspect signatures. Washington, Oregon, and Colorado have developed training program procedures (see Resources). Forensic scientists (possibly from California's patrol or that of a neighboring state) may be able to help train your workers.

Third, implement a two-stage signature review. In the first stage, trained workers or specialized equipment compares the signature on the envelope to the digitized signature on file. If the signatures match, the ballot is moved to an "accepted" pile, but if there is a

²² <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.36>

²³ <https://www.sos.wa.gov/assets/elections/administrators/2019-ballot-format-checklist.pdf>

²⁴ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-230>

²⁵ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-230-010&pdf=true>

²⁶ <https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=26>

²⁷ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=23

²⁸ To verify the identity of voters who are unable to sign due to disability, offer the option of filling out a form that allows them to use a signature stamp.

²⁹ <https://www.voteathome.org/wp-content/uploads/2019/03/VAH-Policy-and-Research-Guide.pdf#page=18>

discrepancy, it is moved to a “flagged for further review” pile. In King County, Washington, trained inspectors flag around 2.5 percent of ballots during an initial review. Flagged ballots then go to another team of trained workers that closely examines the ballots and decides whether to accept or challenge them. (King County inspectors challenge about 1 percent of signatures.)

For all challenged signatures, notify voters and give them an opportunity to respond so that their ballot might still be counted.

Voters’ signatures change over time, so if the state does not have a recent signature on file for a voter, ask them to update it. The King County, Washington, elections administrator sends voters a Signature Update Form. And in preparation for moving to an all-mail election, Hawaii sent a postcard to all registered voters asking for an updated signature for reference.

Resources

- Colorado Secretary of State [Signature Verification Guide](#).³⁰
- King County, Washington, [Signature Verification Training presentation](#) (includes examples of signatures and common problems with signatures).³¹
- King County, Washington, [Signature Update Form](#).³²
- Hawaii’s Office of Elections [Signature Card](#).³³
- Oregon Secretary of State Elections Division [webinar](#) on signature verification.³⁴
- Election Assistance Commission [Signature Verification Cure Process](#).³⁵
- [Tour](#) of King County (Washington) Elections ballot processing area.³⁶
- Oregon [Signature Stamp Attestation](#) form.³⁷
- CISA’s [Ballot Verification](#) and [Signature Verification and Cure Process](#).³⁸

³⁰ <https://www.sos.state.co.us/pubs/elections/docs/SignatureVerificationGuide.pdf>

³¹ <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip> (see “Ballot processing” folder, “Signature Verification Training Updated.pptx”)

³² <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip> (see “Ballot processing” folder, “Signature-update-letter-April-May 2016-English.pdf”)

³³ <https://elections.hawaii.gov/main/sign-sealed-and-counted-securing-your-vote>

³⁴ <https://www.youtube.com/watch?v=UKiYGONnNT0&feature=youtu.be>

³⁵ https://www.eac.gov/sites/default/files/electionofficials/vbm/Signature_Verification_Cure_Process.pdf

³⁶ <https://kingcounty.gov/depts/elections/education-and-outreach/take-a-tour.aspx>

³⁷ <https://sos.oregon.gov/elections/Documents/SEL540.pdf>

³⁸ <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=48> and <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=63>

Example Legislative Language

Revised Code of Washington [29A.40.110](#). Processing incoming ballots.³⁹

Verification may be conducted by approved automatic verification systems. Variation in signature between the return envelope and the registration record due to initials or common nicknames is permitted as long as the surname is the same and the handwriting matches.

Example Guidance Language

- Washington Administrative Code [434-250-120](#). Verification of the signature and return date.⁴⁰
- Oregon [Vote by Mail Procedures Manual](#), p. 35; [Appendix 13](#), p. 83.⁴¹

4. Consider using a professional printer and ballot sorter.

Many election administrators use professional printers and ballot sorters, rather than printing ballots, stuffing envelopes, and sorting them in-house. This can save money and increase staff efficiency. It might also mitigate problems voters have experienced during their primaries, such as in Georgia,⁴² where voters requested ballots but did not receive them, or in New York,⁴³ where ballots did not include a return envelope. Both states were relying on overworked workers who did not have much experience in printing, stuffing, and mailing ballot envelopes, rather than hiring a professional service that has printed, stuffed, and mailed ballot envelopes many times and has quality control practices in place.

According to the Brennan Center, printing costs per ballot ranges from [\\$0.21 to \\$0.35 cents per ballot](#). Volume efficiencies in moving to a Vote By Mail system result in lower per-voter printing costs. In Colorado, total printing costs declined from [\\$6.86 to \\$3.04 per voter](#) after implementing Vote By Mail.

Resources

- [K&H Integrated Print Solutions](#) for secure ballot and envelope printing.⁴⁴

³⁹ <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.110>

⁴⁰ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-250-120>

⁴¹ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=35 and https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=83

⁴² <https://www.11alive.com/article/news/politics/elections/absentee-ballot/85-4bde08c8-97db-4736-b1de-45a03c29c330>

⁴³ <https://www.nytimes.com/2020/06/19/us/politics/nyc-vote-by-mail.html>

⁴⁴ Many counties in the Pacific Northwest use this vendor. <http://www.khprint.com>

- [Runbeck Election Services](#) for election products and services.⁴⁵
- Relia-Vote™ automated mail ballot solutions from [BlueCrest](#).⁴⁶
- [Ryder Graphics](#) for ballot printing and mailing.⁴⁷
- [Reprographics](#) for ballot printing and mailing.⁴⁸
- [Phoenix Graphics](#) for ballot printing and mailing.⁴⁹
- [Tritek](#) for ballot sorting and signature verification services.⁵⁰

Example Guidance Language

- Colorado Secretary of State [Elections Division Policy and Procedure Manual](#), p. 26.⁵¹
- Oregon [Vote by Mail Procedures Manual](#), p. 23.⁵²

5. Count ballots at a secure centralized facility.

Counting ballots in a secure centralized facility enhances election security, transparency, and efficiency. Election administrators in King County, Washington, count ballots in guarded facilities with continuous security camera monitoring in addition to using their ballot tracking system (see Recommendation 8). Having security surveillance equipment in ballot processing areas and streaming the footage online allows voters to see for themselves how secure and transparent a jurisdiction's vote-counting procedures are. As with all election procedures, prepare for Election Day by rehearsing processes and timing various stages.

To the extent possible according to Utah law, counties that don't have an appropriate facility for secure and centralized ballot processing could coordinate with counties that do.

Resources

- King County Elections [FAQ](#) and [security and accountability information](#).⁵³

⁴⁵ Runbeck has the capacity to serve 10 percent of American voters. <https://runbeck.net>

⁴⁶ BlueCrest serves 30 counties. <https://www.bluecrestinc.com/solutions/vote-by-mail-relia-vote>

⁴⁷ Many Oregon counties use this vendor. <http://rydergraphics.net>

⁴⁸ Many Oregon counties use this vendor. <http://reproprinting.com>

⁴⁹ Some jurisdictions on the East Coast use this vendor.

<https://www.phoenix-graphics.com/absentee-mail>

⁵⁰ <https://tritektech.com>

⁵¹ <https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=26>

⁵² https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=23

⁵³ <https://kingcounty.gov/depts/elections/about-us/security-and-accountability/frequently-asked-questions.aspx> and <https://www.kingcounty.gov/depts/elections/about-us/security-and-accountability.aspx>

- CISA's [Inbound Ballot Process Recommendations](#).⁵⁴

Example Guidance Language

- Washington Administrative Code [434-261-045](#). Secure Storage.⁵⁵
- Oregon [Vote by Mail Procedures Manual](#), p. 8.⁵⁶

6. Include a postage-prepaid return envelope.

Seventeen states⁵⁷ require the state government to provide envelopes with prepaid return postage for absentee ballots. Twenty-two states⁵⁸ leave it up to counties whether they will pay for return postage, either by explicitly giving counties the option or by saying nothing in legislation about who pays postage. Providing prepaid return postage makes voting easier and can improve voter turnout because voters can focus on voting, not on locating stamps, weighing their ballot, or going to the post office to find out how much mailing the ballot will cost (which can vary from one stamp to three First-Class stamps, depending on the weight of the ballot).⁵⁹ Prepaid return postage costs around \$0.80 per voter.⁶⁰

Utah currently allows counties to decide who should pay for postage to return mail-in ballots. It would be most effective for Utah legislature to require postage-prepaid ballots statewide. In the absence of legislation, each local official could take initiative and provide prepaid postage on all ballot return envelopes.

⁵⁴ <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=43>

⁵⁵ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-261-045>

⁵⁶ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=8

⁵⁷ Arizona, California, Delaware, Hawaii, Idaho, Indiana, Iowa, Kansas, Minnesota, Missouri, Nevada, New Mexico, Oregon, Rhode Island, Washington, West Virginia, and Wisconsin require prepaid return postage. <https://www.ncsl.org/research/elections-and-campaigns/vopp-table-12-states-with-postage-paid-election-mail.aspx>

⁵⁸ Counties in Alabama, Arkansas, Connecticut, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island (some voters), South Carolina, Tennessee, Utah, Vermont, Virginia, and Wyoming determine whether to provide prepaid return postage. <https://tracker.votingrightslab.org/issues/AbsenteeVoting>

⁵⁹ <https://qz.com/1433788/how-many-stamps-should-i-put-on-an-absentee-ballot>

⁶⁰ <https://www.brennancenter.org/our-work/research-reports/estimated-costs-covid-19-election-resiliency-measures>

Resources

- USPS [fact sheet](#) on Business Reply Mail® (BRM) and Qualified Business Reply Mail™ (QBRM™).⁶¹

Example Legislative Language

Revised Code of Washington [29A.40.091](#). Envelopes, declaration, and instructions—Voter’s oath—Overseas and service voters—Return of ballots—County auditor’s name.⁶²

Return envelopes for all ballots must include prepaid postage.

Example Guidance Language

- Arizona Secretary of State [2019 Elections Procedures Manual](#), p. 54.⁶³

7. Invest in high-speed centralized equipment.

High-speed equipment can check unique barcodes on envelopes, sort envelopes, compare signatures against digital files, and tabulate ballots. For the 10 counties in Utah with 25,000 or more registered voters,⁶⁴ investing in centralized equipment will allow officials to efficiently process a high volume of absentee ballots and result in reduced labor costs for every election for years to come. High-speed equipment allows election administrators to count ballots and finalize results faster, and as voting populations increase, high-speed equipment will be able to handle the increased number of ballots.

Machines themselves may cost in the range of \$50,000 to \$100,000,⁶⁵ but counties usually purchase an installation and maintenance contract with a new machine, and the total costs can be steep. For example, in 2017 King County, Washington, purchased new scanning equipment for an average of about \$130,000 per scanner. In 2015 Solano County, California, spent \$482,388 on a machine and five years of maintenance.⁶⁶

⁶¹ BRM and QBRM enable local election officials to pay the return postage for only the ballots returned to the elections office. <https://about.usps.com/kits/kit600.pdf#page=15>

⁶² <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.091>

⁶³ https://azsos.gov/sites/default/files/2019_ELECTIONS_PROCEDURES_MANUAL_APPROVED.pdf#page=68

⁶⁴ Box Elder, Cache, Davis, Iron, Salt Lake, Summit, Tooele, Utah, Washington, Weber

⁶⁵ <https://www.brennancenter.org/our-work/research-reports/estimated-costs-covid-19-election-resiliency-measures>

⁶⁶ <https://www.solano.courts.ca.gov/materials/GrandJury/2016/Final%20ROV%20Report%20-Judge%2005182016.pdf>

In Utah, zero counties have high-speed centralized tabulators. None of Utah's counties with more than 25,000 registered voters have centralized equipment of any speed. These counties might consider investing in such equipment this year.

Resources

- National Conference of State Legislatures' [Elections Technology Toolkit | Voting Machines and Beyond](#).⁶⁷
- CISA's [Inbound Ballot Recommendations](#), p. 3.⁶⁸

⁶⁷ <https://www.ncsl.org/research/elections-and-campaigns/elections-technology-toolkit.aspx>

⁶⁸ https://www.cisa.gov/sites/default/files/publications/inbound-ballot_process_final_508.pdf#page=3

For Utah's Secretary of State

Clerks could independently implement each of these recommendations, but a coordinated statewide effort would be more effective.

8. Use a comprehensive system to track ballots.

Comprehensive ballot tracking improves the security of absentee ballots and boosts voter confidence in mailed-out ballots. The service, offered by companies like Ballot Scout⁶⁹ and BallotTrax,⁷⁰ uses intelligent barcodes to track every ballot and envelope, minimizing the risk of stolen ballots or ones that have been tampered with. It also increases transparency and accountability because voters can easily track when their ballot is in transit, received by election officials, and counted.

Ten states⁷¹ [require](#) tracking for absentee ballots, and 30 others⁷² have some form of ballot tracking, though not [required](#) by statute. These tracking services may not be comprehensive, however. For example, in many states, voters can look up whether their ballot has been mailed to them but may not be able to find out if it has been accepted. In contrast, Ballot Scout and BallotTrax's comprehensive services can text voters with updates on every step in their ballot's journey—when it's mailed, when it arrives at their residence, when it's in transit, and when it's been accepted. Tracking services give voters a much higher degree of confidence in the system. Such confidence could be especially important this year, when many voters will be voting absentee for the first time and questions are swirling about the security of mailed ballots.

By implementing a comprehensive ballot tracking system, Utah can avoid problems such as those Wisconsin experienced in its April 2020 primary. If Wisconsin election officials had had comprehensive secure ballot tracking in place, they would have seen that thousands of mailed-out ballots had gotten stuck in mail processing centers. Getting this information would have given officials the opportunity to contact USPS and address the problem. Instead, thousands of voters were denied the ability to safely vote at home even though they had requested their ballot in time.

Ballot tracking is cost effective. For many states, depending on the number of voters and other implementation details, comprehensive ballot-tracking may cost around [\\$50,000](#) per

⁶⁹ <https://www.democracy.works/ballot-scout>

⁷⁰ <https://ballottrax.com>

⁷¹ California, Colorado, Delaware, Florida, Iowa, Maryland, New Hampshire, New Jersey, New Mexico, and Virginia require ballot tracking.

⁷² Alabama, Alaska, Arizona, Arkansas, Georgia, Idaho, Illinois, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Washington, West Virginia, and Wisconsin have some form of ballot tracking, though it is not required.

<https://tracker.votingrightslab.org/issues/AbsenteeVoting>

year. It would be most effective for the secretary of state to enact statewide tracking, but if they do not, then local officials could step in. City or county administrators can sign up for local service, likely at a cost of a few thousand dollars per year.⁷³

Example Legislative Language

California Election Code [§ 3017 \(c\)](#). Vote by Mail Application and Voting Procedures.⁷⁴

The elections official shall establish procedures to track and confirm the receipt of voted Vote By Mail ballots and to make this information available by means of online access using the county's elections division website.

Florida Statutes [§ 101.62\(1\)\(c\)](#). Request for vote-by-mail ballots.⁷⁵

Upon receiving a request for a Vote By Mail ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system designated by the department for determining the status of their Vote By Mail ballot.

New Hampshire Revised Statutes [§ 657:26](#). Absentee Voter Website.⁷⁶

The secretary of state shall make available a public website by which an absentee voter, in every state election, may determine whether the voter's absentee ballot request has been received by the clerk, whether the absentee ballot has been sent pursuant to such request, whether the envelope purporting to contain the absentee ballot has been received by the clerk, and whether the absentee ballot was challenged and rejected by the moderator on Election Day, including the reason for the challenge.

Resources

- Center for Tech and Civic Life's 2020 [webinar](#) on [best practices for tracking and reporting](#), and the [slides](#).⁷⁷
- USPS's [Green Tag 191](#) and ballot-specific [Service Type Identifiers \(STIDs\)](#), which uses Intelligent Mail® barcodes (IMb®), help process Vote By Mail ballots.⁷⁸

⁷³ Pasco County, Texas, pays \$4,000 per year for Ballot Scout, and Milwaukee, Wisconsin, could pay \$7,500 per year. <https://www.fastcompany.com/90501588/track-your-ballot-like-a-package-how-technology-will-smooth-the-way-for-novembers-mail-in-ballot-surge>

⁷⁴ https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=ELEC&division=3.&title=&part=&chapter=1.&article=

⁷⁵ http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0101/Sections/0101.62.html

⁷⁶ <http://www.gencourt.state.nh.us/rsa/html/lxiii/657/657-mrg.htm>

⁷⁷ <https://www.techandcivillife.org/vote-at-home>

⁷⁸ <https://about.usps.com/gov-services/election-mail> and https://about.usps.com/postal-bulletin/2018/pb22498/html/cover_006.htm

- Denver's [Ballot Trace](#) lets voters opt in to receiving text messages when their ballot is mailed to them, when it is received by the elections office, and when it has been approved for tabulation.
- [Ballot Scout](#), a web-based ballot-tracking tool that works with USPS.⁷⁹
- [BallotTrax](#) for tracking ballots.⁸⁰

Example Guidance Language

- Oregon [Vote by Mail Procedures Manual](#), p. 26.⁸¹

⁷⁹ <https://www.democracy.works/ballot-scout>

⁸⁰ Counties in California, Oregon, and Washington use BallotTrax. <https://ballottrax.com>

⁸¹ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=26

For Lawmakers

9. Account for voters with nontraditional addresses.

Native American voters living on tribal lands often have mailing addresses that don't adhere to USPS standards, making it difficult for them to register to vote and receive ballots in the mail. They may have many family members living at the same address, and some states may not allow them all to receive a ballot, in an attempt to protect against fraudulent ballot requests. Or these voters may use a USPS box to receive mail but live far from the nearest post office or election center, making it more difficult to receive and return their ballot in a timely fashion.⁸² Eligible voters experiencing homelessness or housing insecurity also may not have a home address. Utah should make sure these voters can receive a ballot and vote securely.

Utah should allow multiple eligible voters to use the same mailing address. Living with others to save housing costs should not diminish any American's right to vote. Utah can allow Native Americans to [designate a building on the Nation's land to receive their ballot](#). Especially in areas where people live far from a post office, election administrators can temporarily install drop boxes or vote centers on tribal lands to ensure that voters have viable options for returning their ballots.

Utah can allow homeless community members to receive their ballots at a [shelter, park, motor home](#), or other identifiable location. As an alternative, homeless voters can list the county elections office as their mailing address and get their ballot in person there. They can then return their ballot to the elections office or a secure drop box.

Example Legislative Language

Colorado Revised Statutes [1-2-102](#). Rules for determining residence.⁸³

For voter registration residence, voters can identify a physical location in the county that they return to regularly, such as a shelter, services provider, park, campground, vacant lot, or business. If that location does not have an address, voters must also provide a mailing address.

⁸² <https://www.theguardian.com/commentisfree/2020/may/22/mail-in-voting-native-americans-election>

⁸³ https://www.sos.state.co.us/pubs/info_center/laws/Title1/Title1Article2.html

Oregon Revised Statutes [247.038](#). Registration of person who is homeless or resides in identifiable location.⁸⁴

Individuals who are homeless or reside in shelters, vehicles, marinas, or other identifiable locations cannot be denied the opportunity to register to vote. Residence addresses can be descriptions of the person's physical location or the office of the county clerk.

Revised Code of Washington [29A.08.112](#). Voters without traditional residential addresses.⁸⁵

Voter registration accepts nontraditional addresses, defined as narrative descriptions of the voter's physical location. No person can be disqualified for lacking a traditional address. Voters must provide a mailing address. Tribes may designate a government building to serve as a mailing address for residents.

Example Guidance Language

- Oregon [Vote by Mail Procedures Manual](#) and Oregon secretary of state [website](#).⁸⁶
- Colorado secretary of state [Foreclosure and Homeless Voters FAQs](#) and [Election Rules](#).⁸⁷
- Washington Secretary of State Clearinghouse Elections Notice on [Voters without Traditional Addresses](#).⁸⁸

10. Allow counties to accept ballots postmarked on Election Day.

In 2018 approximately 1 percent of mailed-out ballots in Utah were rejected. Of those, 23 percent were rejected due to late receipt. That is more than 2,000 Utah voters whose votes weren't counted because they arrived too late. It's likely that more Utahns will want to use absentee ballots in 2020, and a similar rejection rate for ballots received after Election Day could disenfranchise even more voters.

Thirteen states⁸⁹ accept ballots postmarked by Election Day and received within a certain period afterwards (usually around 10 days). This gives absentee voters the same freedom

⁸⁴ https://www.oregonlegislature.gov/bills_laws/ors/ors247.html

⁸⁵ <https://apps.leg.wa.gov/rcw/default.aspx?cite=29A.08.112>

⁸⁶ https://sos.oregon.gov/elections/Documents/vbm_manual.pdf#page=19 and <https://sos.oregon.gov/voting/Pages/homeless-confidential.aspx>

⁸⁷ <https://www.sos.state.co.us/pubs/elections/FAQs/foreclosureHomelessFAQ.html> and https://www.sos.state.co.us/pubs/rule_making/CurrentRules/8CCR1505-1/Rule2.pdf#page=3

⁸⁸ <https://www.sos.wa.gov/assets/elections/auditorsctp/19-04%20voters%20without%20traditional%20addresses.pdf>

⁸⁹ Alabama, Alaska, California, DC, Illinois, Kansas, Maryland, New Jersey, New York, North Carolina, Texas, Washington, and West Virginia accept ballots postmarked on Election Day.

as in-person voters to mark their ballot and submit it on Election Day. It also avoids confusion because voters don't have to guess how many days it could take USPS to deliver their ballot. Allowing clerks to count ballots postmarked on Election Day and received within 10 days increases voter engagement and makes elections more representative of the people.

Since Utah does not accept ballots received after Election Day, make this very clear to voters. In the ballot materials, instruct voters not to put their ballot in the mail any later than the Wednesday before Election Day. Run PSAs a few days before that Wednesday to remind voters of the practical cutoff date and that they may take their ballot to a secure drop box or a vote center up until the polls close on Election Day.

Example Legislative Language

Alaska Statutes § [15.20.081\(e\)](#). Absentee voting in general; applying for absentee ballot by mail or electronic transmission.⁹⁰

Ballots must be postmarked by Election Day and received by the close of business on the 10th day after the election.

Illinois Compiled Statutes [10 § 5/19-8\(c\)](#). Time and place of counting ballots⁹¹ and [10 § 5/18A-15](#). Validating and counting provisional ballots.⁹²

Ballots must be postmarked by Election Day. Ballots received after Election Day without the postmark shall be accepted if the certification date is on or before Election Day. Ballots must be received within 14 days after the election.

Kansas Statute [25-1132](#). Advance voting; delivery of ballots; where; deadline for receiving ballots.⁹³

Absentee ballots can be received after polls close as long as they were postmarked before or on Election Day and are received within three days after the election. This second standard is not recommended, as USPS first-class standard has changed from one to three days but is now two to five days.

<https://www.ncsl.org/research/elections-and-campaigns/vopp-table-11-receipt-and-postmark-deadlines-for-absentee-ballots.aspx>

⁹⁰ <http://www.akleg.gov/basis/statutes.asp#15.20.081>

⁹¹ <http://ilga.gov/legislation/ilcs/documents/001000050K19-8.htm>

⁹² <http://ilga.gov/legislation/ilcs/documents/001000050K18A-15.htm>

⁹³ http://www.kslegislature.org/li/b2019_20/statute/025_000_0000_chapter/025_011_0000_article/025_011_0032_section/025_011_0032_k

Nevada Revised Statutes § [293.317\(1\)\(b\), \(2\)](#). Procedure for timely returning absent ballot; treatment of absent ballot when postmark cannot be determined⁹⁴ and NRS [293.333\(2\)](#) Procedure for depositing absent ballots in ballot box; period for counting of absent ballots.⁹⁵

Ballots must be postmarked on or before the date of the election and received within seven days after the election. If a postmark is illegible but the ballot is received within three days of the election, it is considered valid.

North Carolina General Statutes [163-231](#). Voting absentee ballots and transmitting them to the county board of elections.⁹⁶

Absentee ballots can be received after polls close as long as they were postmarked before or on Election Day and are received by three days after Election Day. This second standard is not recommended, as USPS first-class standard has changed from one to three days to two to five days.

Example Guidance Language

- Alaska Administrative Code [25.560](#). Timeliness of absentee by-mail ballot.⁹⁷

11. Allow voters to request replacement ballots online.

Occasionally, voters might lose, destroy, spoil, or never receive their ballot in the mail. These voters need to be able to quickly, conveniently, and securely request a replacement. To best accommodate voters, especially during the pandemic, county clerks can give voters the option to request a replacement ballot not only in person but also in writing, over the phone, or online.

To ensure security, election officials should only send replacement ballots once they confirm that the voter has not already voted. Unique barcodes on each ballot will ensure that only one ballot per voter is counted (see Recommendation 8). Each voter will only be able to vote once; if an election official receives two ballots with the same unique barcode, only the first one received will be counted.

Printing and mailing ballots costs between \$1.26 and \$2.35. Utah can reduce the need for replacement ballots by keeping voter records up to date and making it easy for voters to update their address online (see Recommendation 1).

⁹⁴ <https://www.leg.state.nv.us/nrs/nrs-293.html#NRS293Sec317>

⁹⁵ <https://www.leg.state.nv.us/nrs/nrs-293.html#NRS293Sec333>

⁹⁶ https://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_163.html

⁹⁷ <http://www.akleg.gov/basis/aac.asp#6.25.560>

Example Legislative Language

Oregon Revised Statutes § [254.470 \(7\)](#). Procedures for conducting election by mail; rules.⁹⁸

Voters may obtain replacement ballots if the ballot is destroyed, lost, spoiled, or not received. Replacement ballots need not be mailed if within five days of Election Day. Instead, they will be available at the office of the county clerk.

Revised Codes of Washington [29A.40.070](#). Date ballots mailed—Replacement ballots.⁹⁹

Registered voters may obtain replacement ballots if the ballot is destroyed, lost, spoiled or not received. The voter may request a replacement by telephone, mail, or email, online, or in person.

Example Guidance Language

- Oregon [Vote by Mail Procedures Manual](#), p. 51.¹⁰⁰
- Alaska Division of Elections instructions for [online ballot delivery](#).¹⁰¹
- Office of the Minnesota Secretary of State [2016 Absentee Voting Administration Guide](#), p. 30.¹⁰²

12. Allow early in-person voting options.

Twenty-six states allow voters to vote in person in the days and weeks leading up to Election Day, ranging from 7 days in DC to 40 days in Illinois. Utah does not allow early voting before Election Day. The National Vote at Home Institute recommends a minimum of 10 days of early voting,¹⁰³ and ideally Utah could allow more than 3 weeks of early voting to give voters the option to vote in person while mitigating coronavirus-related public health risks of in-person voting by spreading the crowds out over weeks instead of pushing all voters to the polls on Election Day. Your governor may be able to use emergency powers to extend early voting.¹⁰⁴

Early voting also allows voters more options of when to vote. Many people have work schedules that make it difficult to vote on a Tuesday. Allowing the option of voting on any day of the week or month leading up to Election Day will help enfranchise more voters.

⁹⁸ https://www.oregonlegislature.gov/bills_laws/ors/ors254.html

⁹⁹ <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.070>

¹⁰⁰ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=51

¹⁰¹ <http://www.elections.alaska.gov/Core/votingbyonline.php>

¹⁰² <http://www.co.wadena.mn.us/DocumentCenter/View/904/absentee-voting-administration-guide#page=30>

¹⁰³ <https://www.voteathome.org/wp-content/uploads/2020/05/NVAHI-50-State-Policy-Analysis.pdf>

¹⁰⁴ http://dynamicpolicy.law/images/Default_Mail_Balloting_JFCER.pdf

Example Legislative Language

Delaware Code [Title 15 Chapter 54](#). Early Voting.¹⁰⁵

Requires early-voting locations to be open at least 10 days prior to Election Day, including Saturday and Sunday. Requires early voting locations to be publicly announced 30 days before each election. Requires each early voting location to be open at least eight hours per day between 7:00 a.m. and 7:00 p.m.

13. Allow community organizations to collect and deliver sealed ballots.

Twenty states¹⁰⁶ allow anyone to deliver another voter's sealed and signed ballot. By allowing community organizations to help deliver sealed and signed ballots, Utah can increase voter turnout and help further enfranchise voters who face barriers to voting. This policy can help voters who lack access to a vehicle or who do not have access to consistent mail service.¹⁰⁷

Ballot tracking and robust signature verification can prevent would-be ballot harvesters from collecting blank ballots and completing them. Fraudsters can't access voters' signature files, and voters who haven't received their ballots will notice if the tracking system reports their ballot as delivered and returned. Working with get-out-the-vote organizers who collect ballots from rural reservations and transport them to election offices is often the only way Native Americans can vote.¹⁰⁸

Example Legislative Language:

Oregon Revised Statutes [254.470 \(6\)\(d\)](#). Procedures for conducting election by mail.¹⁰⁹

Allows anyone to deliver a completed and sealed ballot as long as they do so within two days of receiving the ballot from the voter.

¹⁰⁵ <https://delcode.delaware.gov/title15/c054/index.shtml>

¹⁰⁶ California, Colorado, Delaware, Florida, Hawaii, Idaho, Illinois, Kansas, Maine, Montana, Nebraska, New York, North Dakota, Oregon, Rhode Island, South Dakota, Vermont, Washington, Wisconsin, and Wyoming.

¹⁰⁷ <https://www.azcentral.com/story/news/politics/elections/2020/01/27/arizona-ballot-harvesting-law-discriminates-minority-voters-ninth-circuit/4589610002>

¹⁰⁸ <https://www.narf.org/montana-bipa/>

¹⁰⁹ <https://www.oregonlaws.org/ors/254.470>