



Utah County 2024 Primary Election Review

Introduction

The Lieutenant Governor is responsible for providing general oversight of elections in the state of Utah (Utah Code 20A-1-105(1)). In fulfillment of this statutory obligation, Lieutenant Governor Henderson sent four members of her elections team to review processes and procedures implemented during the 2024 primary election by the Utah County Clerk’s office. The Lieutenant Governor’s team visited the county clerk’s office on July 2, 2024. This review was prompted by concerns over reconciliation at Utah County polling locations and above average ballot signature rejection rates.

During their visit, the Lieutenant Governor’s staff confirmed that reconciliation at polling places was not always conducted pursuant to state statute, specifically where ballots were being tabulated using the “Fast Cast Voting” program uniquely deployed in Utah County during the 2024 primary election.

The Lieutenant Governor’s staff also discovered that some employees were rejecting ballot signatures at significantly higher rates than others. This required higher incidents of notification to voters and required voters to cure their rejected ballots. The process created unnecessary additional steps for elections staff and voters who had cast a legal ballot to have their vote counted.

This report reviews both reconciliation and signature verification practices in Utah County during the 2024 primary election. Relevant statute, administrative rules, and guidance from the Utah Elections Handbook are included throughout the report. While the Lieutenant Governor’s Office encourages innovation by local election officials, those innovations must maintain sound principles of security and accessibility. This office also supports the right of each Utahn to choose from any statutory voting method.

Reconciliation

Statutory Requirements for Reconciliation:

Statute and the Utah Elections Handbook outline requirements and suggest best practices for Utah election officials regarding ballot reconciliation. In the context of an in-person voting center, reconciliation is the act of ensuring that the number of individuals that checked into a voting center and the number of votes cast at that center match. Utah Code 20A-4-109 requires “an election officer who... processes ballots” to “conduct ballot reconciliations every time ballots are tabulated.” The act of reconciliation is paramount to ensuring election integrity and ensuring that ballots are properly counted throughout the election process.

Reconciliation in Utah County:

During the 2024 Primary Election, the Utah County Clerk’s Office implemented a program that it had been experimenting with during the 2023 municipal election cycle known as “Fast Cast Voting.” The

program allowed individuals to take their completed by-mail ballot to a polling location and scan it directly into a tabulator after showing their ID. When contacted about the new program prior to the primary, Director of Elections Ryan Cowley expressed concern about the potential for individuals to scan more than one ballot without poll workers' knowledge. In order for the “fast cast” tabulators to read by-mail ballots, a key security feature must be disabled. Disabling this would allow for any ballot to be read, creating the potential for multiple ballots to be scanned in by a single voter. The discussion of “Fast Cast Voting” below will focus on the way it was implemented during the 2024 Primary Election.

On July 2, 2024, members of the Lieutenant Governor’s Office elections staff visited the Utah County Clerk’s Office. During the visit, the Lieutenant Governor’s staff reviewed Utah County records of the number of individuals who checked in at each polling location and the number of ballots cast at each polling location in Utah County. Although the visit occurred a week after the June 25th primary, the county clerk’s office had not reconciled their polling locations.

From their review of those records, the Lieutenant Governor’s staff determined that there were at least 19 more ballots cast than voters who had checked in at the various Utah County polling locations. This means that at least 19 votes may have been cast without a voter showing ID or having their signature checked and reviewed by poll workers at the polling location. The clerk attributed this difference to confusion with poll worker training. Clerk staff believe that these voters were properly verified, but the check-in process was not fully completed by polling place staff, meaning those voters did not receive vote history. However, there is no way that this can be verified. It is conceivable that some voters may have cast more than one ballot through the “Fast Cast Voting” system or skipped the check-in process altogether. Either would be a violation of Utah law.

The chart below outlines each voting location, the number of ballots cast by method and location, the number of voters who checked in at each location, and the variance between the number of ballots cast and the number of voters who checked in at each location.

Utah County In-Person Vote Totals					
Location	Votes Cast By Method	Total Votes Cast	Voters Checked In By Method	Total Voters Checked In	Difference¹
Early Voting	195 ²	195	152	193	2
Early Voting Fast Cast			41		
Pleasant Grove	218	308	217	307	1
Pleasant Grove Fast Cast	90		90		
Orem	263	351	271	359	-8
Orem Fast Cast	88		88		
Payson	218	313	220	315	-2
Payson Fast Cast	95		95		

Provo	280	346	282	347	-1
Provo Fast Cast	66		65		
Spanish Fork	235	297	237	299	-2
Spanish Fork Fast Cast	62		62		
Springville	171	193	184	193	0
Springville Fast Cast	22		9		
American Fork	390	532	391	533	-1
American Fork Fast Cast	142		142		
Lehi	312	423	323	407	16
Lehi Fast Cast	111		84		
Saratoga Springs	325	392	328	395	-3
Saratoga Springs Fast Cast	67		67		

1. The boxes highlighted in red indicate polling locations where more ballots were cast than voters checked in.
2. Polling locations on election day had separate machines for voters voting in person and those using “fast cast.” The county did not have a separate machine during early voting, making it difficult to reconcile where the discrepancy came from.

“Fast cast” was presented as a way to expedite ballot processing; because voters would present ID when submitting their ballot, therefore, signature verification would not be performed. However, Utah County still experienced significant delays in ballot processing. The way Fast Cast was implemented also could create long lines in the polling places in November. Long lines in polling places can discourage voters from casting a ballot and would delay statewide results on election night.

Findings and Recommendations

Finding 1.1: *The Utah County Clerk’s Office did not reconcile the number of voters who checked in to each polling location with the number of ballots cast.*

Recommendation 1.1: The Utah County Clerk’s Office must reconcile the number of voters checked in at each polling location with the number of ballots cast at each polling location. Reconciliation must be completed by poll workers at the polling place and reviewed for accuracy by the county clerk’s office during the canvass period. Reconciliation should also occur periodically throughout the day at each polling location.

Finding 1.2: *The “fast cast” voting process as implemented in the 2024 Primary election lacked key statutory controls and created an environment where fraudulent and/or unauthorized ballots were cast.*

Recommendation 1.2: Due to the inherent lack of controls in “fast cast” voting and the subsequent noncompliance of Utah election law, the Utah County Clerk’s Office must either abandon the “fast cast” voting method or make significant modifications to bring it into compliance with state code.		
Code	Administrative Rule	Handbook/Training Materials
20A-4-109 20A-3a-203	R623-8-6	Utah Elections Handbook: 17. Ballot Processing - Subsection M

Signature Verification

Statutory Requirements for Signature Verification:

Utah Code 20A-3a-202 outlines the requirements for signature verification in the state of Utah. Additionally, the Lieutenant Governor’s Office has established administrative rules outlining training standards for election officials around the state in relation to signature verification. Each individual who is verifying signatures must complete a training course established by the Lieutenant Governor’s Office prior to processing signatures. This course must be completed annually. The Lieutenant Governor’s Office verified that each of the individuals in Utah County who performed signature verification had completed the required training.

Signature Verification in Utah County:

The Lieutenant Governor’s election staff reviewed the signature rejection rates of each county after the June 25th, 2024 primary. Utah County’s signature rejection rate was higher than the statewide average and more than five times higher than its 2023 Primary Election rejection rate. This merited further review. During the July 2nd visit, a review was conducted of rejected signatures. Lieutenant Governor’s Office elections staff reviewed the signature rejection rates of each Utah County elections employee, conducted a random sample of signatures reviewed by various employees, and specifically focused on those with high and low rejection rates. After review of one employee’s rejected signatures, Lieutenant Governor’s Office staff determined that approximately 25% of the voter signatures rejected by that employee should have been accepted. Other staff members also had high rejection rates.

Properly verifying voter signatures is important, but the high rejection rate and the results of the review suggest that some staff members were too strict in their signature review. These high rejection rates should have been caught during the statutory 1% audits conducted during signature verification. When the Lieutenant Governor’s Office staff asked county clerk management about the audits, they acknowledged that they did identify a number of employees who seemed to be rejecting signatures at higher rates than other election employees. However, no remedial action was taken.

In the audit summary submitted to the Lieutenant Governor’s Office as part of the county’s canvass, the county clerk’s office noted the following:

“Additional reviews on other signatures the staffer processed were made. In all cases the auditor found the staffer was being more strict with their signature reviews. In the three cases where the signature was approved but should have been challenged, the signature

had similarities, but not enough to make a conclusive match. The voters were sent a cure letter.”

Voting is a constitutional right. Signature verification is the process by which identity is established for by-mail ballots. Care must be taken to verify that each ballot was cast by the registered voter, but undue and unnecessary burdens should not be placed on voters, especially when a voter’s signature matches the signature on file with the county clerk’s office. A broader sample of signatures should have been audited and additional training should have been provided to this staffer. If the pattern continued, the staffer should have been reassigned to other duties (Utah Code 20A-3a-402.5(3)).

At least one factor contributing to the high rejection rate seems to be the quality of the signatures that the clerk’s office has on file. The clerk’s office should make a concerted effort to obtain and save higher quality signature images as voters submit updated voter registration forms, affidavits, other forms, etc. Grainy or otherwise unclear signatures make it difficult for proper comparison (Utah Code 20A-3a-401(5)(e)).

Findings and Recommendations		
<p><i>Finding 1.3:</i> <i>Some of the staff in the Utah County Clerk’s Office were too stringent in their signature review, resulting in unnecessarily challenged ballots.</i></p> <p>Recommendation 1.3: The Utah County Clerk’s Office must review its signature verification procedures and training materials provided by the Lieutenant Governor’s Office and implement the best practices outlined in those materials.</p> <p><i>Finding 1.4:</i> <i>The Utah County Clerk’s Office underutilized the 1% audits conducted during ballot processing to provide additional training, remedy issues with signature verification, and reassign workers based on the results of the 1% signature audits.</i></p> <p>Recommendation 1.4: The Utah County Clerk’s Office must review and implement the audit policy established by the Lieutenant Governor’s Office and the instructions related to audits in the Utah Elections Handbook.</p> <p><i>Finding 1.5:</i> <i>Some of the signature images on file in Utah County are grainy or unclear.</i></p> <p>Recommendation 1.5: The Utah County Clerk’s Office should begin updating its signature bank by saving higher-quality signature images.</p>		
Code	Administrative Rule	Handbook/Training Materials
20A-3a-402.5 20A-3a-202(6) 20A-3a-401	R623-11	Utah Elections Handbook: 17. Ballot Processing 21. Audit Policy

Conclusion

In preparation for the 2024 General Election, the Utah County Clerk’s Office should begin implementing the recommendations made in this brief report. Below is an aggregated list of all findings and recommendations resulting from the July 2, 2024 visit:

All Findings and Recommendations

Finding 1.1: *The Utah County Clerk's Office did not reconcile the number of voters who checked in to each polling location with the number of ballots cast.*

Recommendation 1.1: The Utah County Clerk's Office must reconcile the number of voters checked in at each polling location with the number of ballots cast at each polling location. Reconciliation must be completed by poll workers at the polling place and reviewed for accuracy by the county clerk's office during the canvass period. Reconciliation should also occur periodically throughout the day at each polling location.

Finding 1.2: *The "fast cast" voting process as implemented in the 2024 Primary election lacked key statutory controls and created an environment where fraudulent and/or unauthorized ballots were cast.*

Recommendation 1.2: Due to the inherent lack of controls in "fast cast" voting and the subsequent noncompliance of Utah election law, the Utah County Clerk's Office must either abandon the "fast cast" voting method or make significant modifications to bring it into compliance with state code.

Finding 1.3: *Some of the staff in the Utah County Clerk's Office were too stringent in their signature review, resulting in unnecessarily challenged ballots.*

Recommendation 1.3: The Utah County Clerk's Office must review its signature verification procedures and training materials provided by the Lieutenant Governor's Office and implement the best practices outlined in those materials.

Finding 1.4: *The Utah County Clerk's Office underutilized the 1% audits conducted during ballot processing to provide additional training, remedy issues with signature verification, and reassign workers based on the results of the 1% signature audits.*

Recommendation 1.4: The Utah County Clerk's Office must review and implement the audit policy established by the Lieutenant Governor's Office and the instructions related to audits in the Utah Elections Handbook.

Finding 1.5: *Some of the signature images on file in Utah County are grainy or unclear.*

Recommendation 1.5: The Utah County Clerk's Office should begin updating its signature bank by saving higher-quality signature images.

The Lieutenant Governor's Office remains committed to the success of the Utah County Clerk's Office and its staff, and stands ready to provide help and assistance in implementing these recommendations. Utah law provides many ways for Utahns to access the electoral process - these include Vote Centers for in-person voting, mandatory drop boxes in each municipality, and the mail service. It is important for each of these methods to be accessible and secure.

Despite these two issues being raised, The Lieutenant Governor's Office recognizes the hard work and dedication of the Utah County Clerk's Office. Throughout this review the entire staff was welcoming and forthcoming with information and eager to think through ways to improve their processes. The Lieutenant Governor's Office recognizes their professionalism and commitment to the voters of their county and the state.