



# STATE OF UTAH

OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
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GOVERNOR

SPENCER J. COX  
LIEUTENANT GOVERNOR

## **For Immediate Release**

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## **Lt. Governor Makes Decision on Attorney General Investigation**

*Determines statutory remedy has already been accomplished*

**SALT LAKE CITY** – Today Lt. Governor Spencer J. Cox made his decision that formal civil action is not necessary under the governing statute with the Election Office’s investigation of Attorney General John Swallow.

“I have determined the statutory remedy has already been accomplished by the resignation of Attorney General John Swallow,” said the Lt. Governor. “I will forward the final special investigation report to the county attorneys and the House investigative committee for any possible criminal or civil actions under other applicable laws.”

Last Friday, the Lt. Governor received the final report of the special investigation of Swallow. He has spent the last few days carefully evaluating the full report and the statute required by law for the Elections Office to follow.

If the court were to find Swallow violated the election code, the judge would enter an order declaring void the election and declare the office vacant. This process would take approximately six months and cost over \$200,000.

“Some have misinterpreted this statute to mean a special election would be called to fill the vacancy if a judge declared void the election of Swallow. Utah law does not contain a lawful mechanism to hold a special election for a candidate under any circumstances,” said the Lt. Governor. “Even if this was a correct interpretation, after a six month trial, candidate filing period, election preparations, and the advance mailing of ballots, this special election would likely not occur until the already scheduled November 2014 election. Not to mention, the cost to hold a statewide special election is approximately \$3 million dollars. Double that if a primary is needed.”

The Lt. Governor has asked special counsel to provide recommendations on how the election code could improve, particularly in campaign disclosure and the election complaint process.

To view the full report of the special investigation, visit [www.elections.utah.gov/election-resources](http://www.elections.utah.gov/election-resources).