STATE OF UTAH

OFFICE OF THE LIEUTENANT GOVERNOR

SPENCER J. COX
LIEUTENANT GOVERNOR

September 17, 2014

Senator Margaret Dayton
Senate Chair - Government Operations Interim Committee
350 North State, Suite 320
Salt Lake City, UT 84114

Representative Jack R. Draxler
House Chair - Government Operations Interim Committee
350 North State, Suite 350
Salt Lake City, 84114

Dear Senator Dayton and Representative Draxler,

As required by Utah State Code §20A-5-410, the Lieutenant Governor's office submits the attached study on voting by mail for your review.

We anticipate supplementing the study with one or more addendums before the September 30, 2014 statutory deadline. In an effort to provide the best possible information our study team is still analyzing data from the 2014 June Primary Election. We will forward their analysis to you and the committee as soon as it becomes available.

Thank you for your continued work and interest in making Utah's elections processes the best they can be.

Sincerely,

Spencer J. Cox
Lieutenant Governor

cc: Representative Steve Eliason
Senator Curtis S. Bramble

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Evaluating the Feasibility of Vote By Mail in Utah

A Report to the Utah Lieutenant Governor's Office

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September 17, 2014

Executive Summary

- Vote-by-mail systems are becoming more common across the U.S., and when administered carefully are a legitimate method of conducting elections. Vote-by-mail systems carry advantages and disadvantages that policymakers should be aware of to ensure they select a system that meets their goals and is consistent with their values.
- In terms of general election turnout, vote-by-mail systems do not show a general long-term increase in turnout. Gains in turnout, are more likely to be observed in low-salience elections such as special elections and municipal elections.
- The cost of VBM relative to traditional Election Day voting varies across contexts. Ballots must be printed for all registered voters; mailing and postage costs are added to that total. Some jurisdictions pay for the postage to return the ballot as well, while others require the voter to pay return postage for their ballot (or allow voters to drop off their ballots at specified locations). These costs can be substantial. Our survey of county officials substantiates the idea that cost savings will vary across contexts.
- Documented cases of voter fraud are rare under existing VBM systems in Oregon and Washington. Using security measures like barcodes, security cameras, and signature verification is important for conducting a high-integrity election.
- Public opinion in Utah tends to favor maintaining a system with choices for voters including mailed absentee ballots, early voting, and traditional Election Day voting. However, VBM is popular in states that have already made the transition.
- Utahns generally seem to recognize that VBM has some important advantages (convenience and ease of voting) and perceive it to be a system that tends to count votes correctly, but they also express some reservations about the possibility of fraud and the possibility that they could cast their ballot before late-breaking campaign information becomes available.
- A survey of county clerks shows substantial variation from county to county on perceptions of whether VBM is easier or harder to administer and whether VBM saves money or is more expensive.
- Like all elections, VBM can be done to a high standard of integrity or it can be done haphazardly. Our survey of counties shows that many counties would need upgrades in security to protect ballots from theft and disaster (e.g. fire, water). A rigorous and careful signature verification process is important, and clearer voter intent standards could be helpful.
- Most counties have the space necessary to transition to a VBM system, but many would need additional technology to track, open, sort, and scan ballots.

Introduction:

Vote-by-mail (VBM) election administration has grown in popularity, particularly over the last ten years. Currently three states (Oregon, Washington, and Colorado) and multiple local jurisdictions in the United States use all vote-by-mail systems. Many more use mailed-in ballots for absentee balloting. The purpose of this report is threefold: To provide information to Utah policymakers about existing research on the consequences of a vote-by-mail system, to provide Utah policymakers with information about citizens' perceptions of vote-by-mail systems, and to provide information about best practices for administering a vote-by-mail so policymakers have advice on how to make such a system work. We remain neutral on whether the state *should* make such a change and instead seek to provide the most pertinent information about advantages and disadvantages of such a system to policymakers to help them make an informed decision.

Utah already makes use of mail-in ballots for absentee voters in a variety of ways. A handful of local jurisdictions have already switched to VBM systems, including Davis County and Duchesne County. Cache County will conduct its first full VBM election in the November 2014 general election, and Sevier, Cache, and Weber counties have used VBM for particular bond elections in the recent past. At least 33 Utah municipalities, mostly small towns, have conducted vote-by-mail elections.

Utah Counties Reporting Use of an all VBM Election
Beaver
Davis
Duchesne
Garfield
Grand
San Juan
Sevier
Weber

A typical vote-by-mail system involves mailing ballots (and instructions for completing them) to all registered voters about a month in advance of the election. Lost or damaged ballots may be replaced, though caution must be exercised in distributing replacement ballots without restraint. Voters receive a ballot and a pre-addressed envelope for returning the ballot. The voter marks their ballot, places it in the return envelope, and signs in the appropriate place on the return envelope indicating that they are the one who cast the ballot. When ballots are returned, signature verification should be performed to minimize the possibility of election fraud. Ballots are opened and counted by election judges at a time and place where election observers can be present. Votes are counted as received before a particular date (as in Oregon) or as long as they are postmarked by a particular date (typically Election Day, as in Washington). States requiring ballots to arrive by a particular date and time can then announce election outcomes typically on the same day as the deadline. When the cutoff is designated by the date of postmark rather than the date of receipt, complete results may be delayed by several days.

Our report proceeds with some background information on vote by mail and its impacts on jurisdictions that adopt it. We also discuss a number of aspects of

VBM systems that policymakers may want to be aware of. We then discuss public perceptions of VBM systems both nationally and using unique survey data collected for this project. The final section provides technical details on processes and procedures necessary for a successful implementation.

Section 1: Background Information on Vote by mail

Voter Turnout and Vote by mail

The first reason many jurisdictions consider adopting a vote-by-mail (VBM) system is because they believe a VBM system will increase voter turnout. The notion that VBM systems increase turnout comes from the idea that voting on Election Day is "costly" in terms of time and effort. U.S. elections are on a Tuesday during the work-day and typically involve voting on dozens of races and referenda, which require information in order to make informed vote choices. It has been argued that VBM will increase turnout by lowering the costs of voting, since the ballot for every election comes to the voter ahead of time and can be completed in the comfort of one's own home.

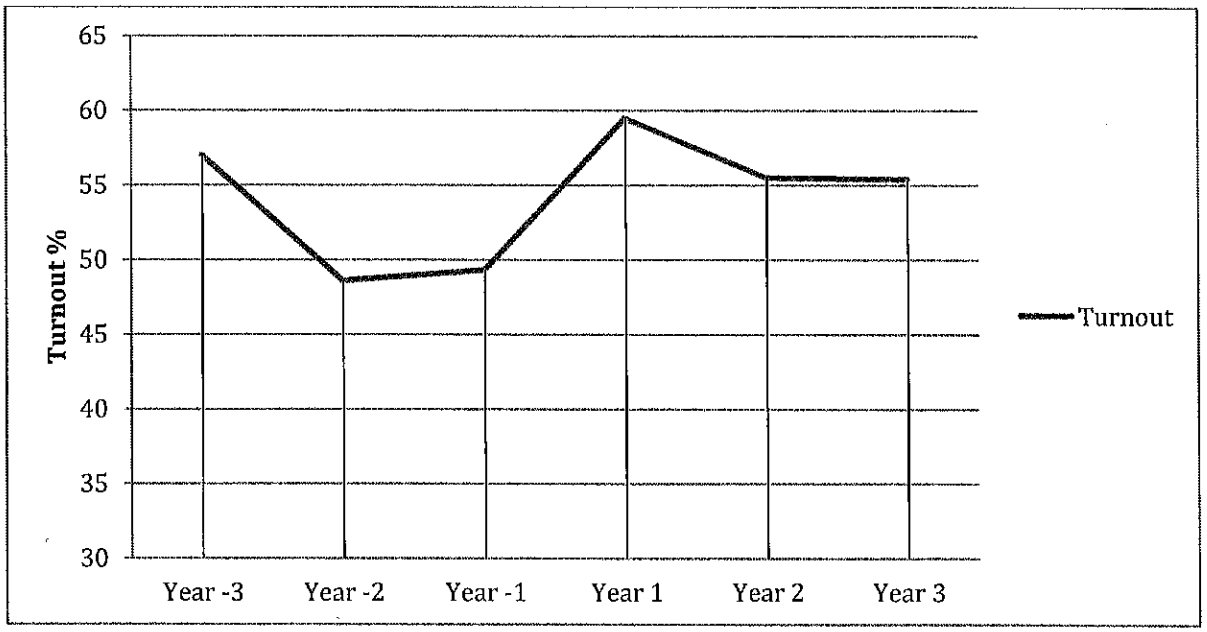
Early research on Oregon's VBM elections showed a considerable increase in turnout, as large as 10 percentage points in some of the elections immediately after the switch. Subsequent research shows that this initial effect is attributed to a "novelty" effect.[1] After the novelty wore off (typically after 3 elections), most elections showed little or no increase in turnout. In special elections and municipal, VBM may have some effects on turnout because receiving a ballot in the mail reminds voters to vote in these less visible elections.

To supplement the data on primary and general elections compiled from Oregon, we analyzed the levels of voter turnout in local elections for municipalities in Washington for the three elections before and three elections after a municipality switched to a VBM system. The data appear in Figure 1. While the election immediately following the transition to a VBM system shows a jump of nearly 10% in voter turnout, the effect is substantially diminished by the second and third elections after the VBM reform was implemented.

Several Utah jurisdictions have begun using a VBM process. However, only a handful have been using VBM for a long enough period of time for us to evaluate the effect of turnout on their elections after the novelty has worn off. Figure 2 shows the levels of turnout observed in Utah as a whole compared against three municipalities which have used VBM over at least four elections: Garden City, Paragonah, and Rockville. Consistent with previous research from outside of Utah, the trend lines show most of these cities experiencing gains in the first year in which elections are conducted by mail followed by decreases in the level of turnout.

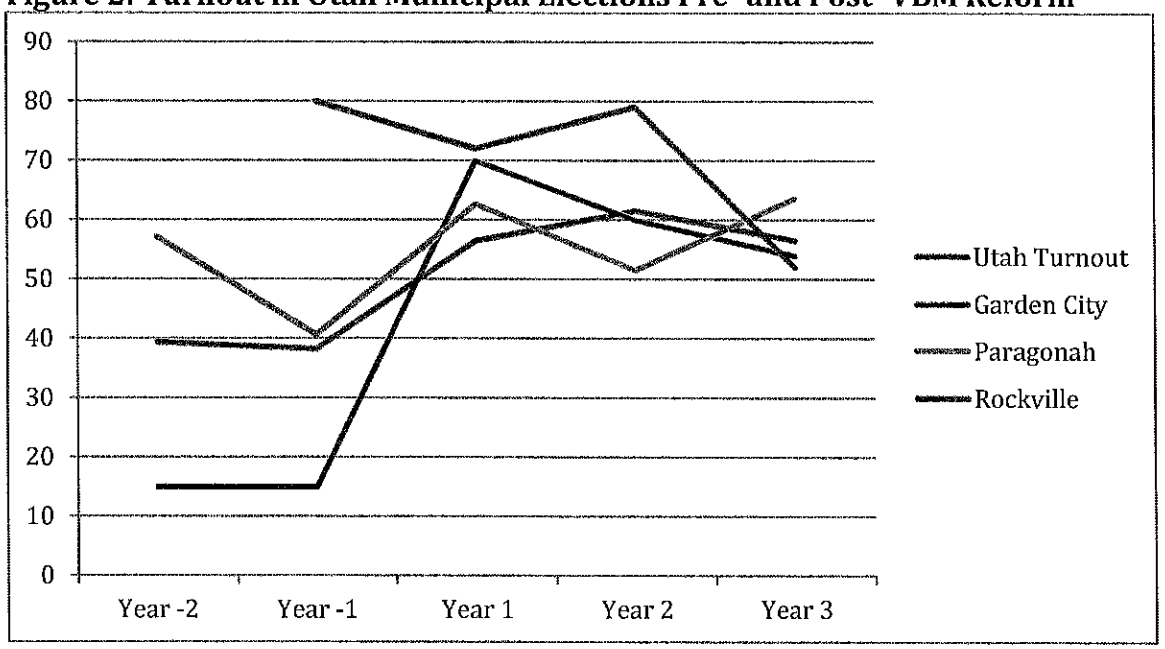
[1] Gronke & Miller 2012, Southwell 2009

Figure 1: Turnout in Washington Municipal Elections Pre- and Post- VBM Reform



Note: Year 1 refers to turnout in the first year after the adoption of VBM with each subsequent year representing the subsequent municipal election years. Year -1, Year -2, and Year -3 are the three years preceding the switch to VBM Elections.

Figure 2: Turnout in Utah Municipal Elections Pre- and Post- VBM Reform



Note: Year 1 refers to turnout in the first year after the adoption of VBM with each subsequent year representing the subsequent municipal election years. Year -1 and Year -2 are the two years preceding the switch to VBM Elections.

Based on patterns observed in other states where VBM has been implemented, one would expect that if Utah adopted VBM there would be an initial increase in turnout in general elections, but that the initial increase would be short-lived and as the novelty of the VBM system wears off there will be little or no gain in general election turnout (though some gain may be observed in special elections and municipal elections).

VBM may decrease the effectiveness of get-out-the-vote (GOTV) campaigns. A field experiment in San Diego showed that, among medium and high propensity voters, VBM precincts were less responsive to GOTV campaigns than traditional precincts. VBM and other early voting mechanisms may also negatively impact turnout by reducing the visibility of Election Day, reducing the impact of ads, and lowering the level of media coverage due to the extended voting window. Increases in VBM turnout have also been linked to the number of reminders or informational pamphlets sent to voters.

Residual Votes and Ballot Roll-off

The adoption of electronic voting machines after the 2002 passage of the Help America Vote Act (HAVA) resulted in decreases in ballot errors because the machines can "check" the activities of voters in real time while preserving the secret nature of the ballot. For example, in a race where the voter should only vote for one of three candidates, an electronic voting machine can alert a voter who attempts to mark their electronic ballot for two candidates in the same race while paper ballots cannot prevent these errors. Voting for more candidates than allowed is known as an "over-vote" and results in a vote that is uncounted in the over-voted race.

In other instances, voters may have intended to vote in a race but accidentally skipped marking off their preferred candidate in the race. Voting machines can check to ensure that a voter intended to skip a race. Instances where voters fail to select a candidate in a down-ballot election where they voted in up-ballot races are known as under-votes. The total of over-votes and under-votes is known as the residual vote for a particular race.

A concern when switching to VBM is that it will lead to more mistakes on the ballot that would not be allowed by an electronic voting machine. A 2011 study examined how VBM affected the residual vote rate in California jurisdictions where it is used, and found that VBM increased the residual vote rate in most counties.[2] During the 1990-2010 time frame the residual vote rate dropped as voting technology became more accurate, but that by 2010 VBM had essentially negated any gains in the residual vote rate due to better technology.

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[2] Alvarez, R. Michael, Dustin Beckett, and Charles Stewart III. "Voting Technology, Vote-by-Mail, and Residual Votes in California, 1990-2010". *Political Research Quarterly*, no. 3 (Sept 2013): 658-670.

Our own analysis of data on residual votes in Washington elections from 1996-2012 found less of an effect, with the increased residual vote rate being most prevalent in judicial elections.[3]

Rejected Votes

Another important metric relating to VBM is the percent of ballots that are received but are not counted. The reasons for rejection may range from missing or incorrect signatures to sending back the wrong ballot or sending it back too late. For most states, the rejection rate for mailed absentee ballots is under 2%.[4] For comparison, Utah rejected 1.1% of absentee ballots received in the 2012 election while Washington rejected 1%, Oregon 2.3%, and Colorado .9%.[5]
Since 2010, Washington State has required all counties to fill out reconciliation reports after each election that account for how many ballots were rejected to ensure election integrity. From these reports we found the percentage of ballots that were rejected. The rejection rate ranged from 1%-1.5% of all ballots received.

While the percent of ballots that would likely be rejected in a VBM system would remain around the same as current absentee ballot rejection rates, it will end up affecting a much larger number of Utah voters.

Timing of Adoption

The timing of adoption for VBM can affect how smooth the transition is, what the effects are, and how it is received by citizens. This section will compare Utah to where Oregon, Washington, and Colorado were when they made the switch to VBM.

Oregon has the nation's longest experience with a VBM system. In 1981, the Oregon state legislature allowed several counties to test VBM in local elections. By 1987 VBM was a permanent election system for most counties, and expanded to include special elections. During the 1990's Oregon used VBM for several statewide races and primaries. They conducted the first federal election by VBM in 1996 when they replaced a senator in a special election. Finally in 1998 the voters decided to implement VBM for all elections.

Because their VBM transition was the first in the nation, their implementation of VBM over time helped make it successful. Using it in local

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[3] Our analysis was based on a two-way fixed-effects regression to control for differences between election years and counties. Full details of the statistical analysis are available from the authors upon request.
[4] Burden, Barry C. and Brian J. Gaines. "Administration of Absentee Ballot Programs." Prepared for the Presidential Commission on Election Administration, July 15 2013.
[5] U.S. Election Assistance Commission, "2012 Election Administration and Voting Survey". http://www.eac.gov/assets/1/Page/990-050%20EAC%20VoterSurvey_508Compliant.pdf

elections allowed the state to find the most cost effective way of conducting a VBM election, allowed trust in the VBM system to grow before implementing for state and federal elections, and has ultimately led to a state that is proud of their VBM experience.

Washington's transition to VBM has been much more recent. Prior to 2005, precincts with fewer than 200 voters were allowed to use VBM in state and federal elections. One county, Ferry County, began using VBM for all elections in the 1990's. Influenced by the success of VBM in Oregon, Washington counties saw very high absentee voter rates that continued to grow in the early 2000's. This amounted to essentially running a VBM and traditional election simultaneously, which was costly. In 2005, the legislature passed a bill allowing counties to switch to VBM for all elections. Most counties made the switch immediately, and in 2011 the last county (Pierce County) made the switch to VBM. As opposed to Oregon where complete VBM began with its success in local elections, Washington adopted VBM in response to demand from its voters.

Table 1 shows the absentee voter rate in Washington in the 2003 local election and 2004 federal election by county. This shows the very high absentee voter rates for most counties, which made for a smooth transition for both election officials and the voters.

Colorado's transition to vote by mail earlier this year was similarly preceded by widespread use of mailed absentee ballots. Most counties in Colorado had over 50% of the electorate already voting by mail through the absentee mechanism and many had absentee rates over 60%. For the reader's convenience, Table 2 shows the percentage of permanent vote-by-mail voters in Colorado counties just prior to their switch to a VBM system.

Utah's position has not advanced nearly to the same point of frequent absentee voting observed in Washington or Colorado at the time they switched to a VBM system. The percentages of Utah voters casting ballots by mail (either absentee or other VBM in counties offering VBM in the 2012 election) are depicted in Table 3 below. The Utah absentee or VBM figures are much lower than those in Colorado and Washington at the time of their switch.

Table 1: By-mail Absentee Voting in Washington before Vote by Mail

County[6]	2003 (local)[7]	2004 (federal)
Adams	88.11%	90.33%
Asotin	54.62%	41.86%
Benton	71.57%	57.38%
Chelan	89.56%	82.21%
Clallam	100%	100%
Clark	88.29%	70.63%
Columbia	64.17%	58.65%
Cowlitz	92.24%	66.95%
Douglas	83.29%	77.82%
Ferry	100%	100%
Franklin	39.75%	40.34%
Garfield	46.47%	74.23%
Grant	68.47%	63.87%
Grays Harbor	66.61%	62.56%
Island	78.11%	73.91%
Jefferson	75.8%	73.06%
King	71.33%	62.83%
Kitsap	86.5%	78.11%
Kittitas	54.31%	46.85%
Klickitat	57.33%	42.7%
Lewis	91.15%	98.83%
Lincoln	24.32%	25.63%
Mason	61.21%	58.99%
Okanogan	29.01%	100%
Pacific	58.58%	53.06%
Pend Oreille	100%	100%
Pierce	86.15%	80.3%
San Juan	72.26%	63.53%
Skagit	59.52%	57.91%
Skamania	100%	100%
Snohomish	74.2%	67.62%
Spokane	71.41%	64.34%
Stevens	57.85%	51.44%
Thurston	84.6%	73.91%
Wahkiakum	77.58%	73.84%
Walla Walla	61.42%	65.53%
Whatcom	71.98%	72.85%
Whitman	34.9%	34.46%
Yakima	82.67%	73.88%
TOTAL	75.66%	68.45%

[6] Information obtained through the Washington Office of the Secretary of State found at http://www.sos.wa.gov/elections/absentee_stats.aspx?y=2003.

[7] Counties could use full vote-by-mail in precincts that had fewer than 200 registered voters. Some counties drew their precincts to fit the criteria, thus allowing them to be full VBM prior to the 2005 legislation.

Table 2: By-mail Absentee Voting in Colorado before Vote by Mail

County	VBM %	County	VBM %
Adams	62.3%	La Plata	52.7%
Alamosa	63.9%	Lake	36.3%
Arapahoe	67.9%	Larimer	67.2%
Archuleta	50.3%	Las Animas	53.3%
Baca	61.8%	Lincoln	60.4%
Bent	47.7%	Logan	65.8%
Boulder	66%	Mesa	68.2%
Broomfield	70.2%	Mineral	67.2%
Chaffee	72.6%	Moffat	37%
Cheyenne	49.6%	Montezuma	48.8%
Clear Creek	56.7%	Montrose	69%
Conejos	51.1%	Morgan	63.8%
Costilla	39.9%	Otero	53.9%
Crowley	37.3%	Ouray	63.7%
Custer	48.4%	Park	61.3%
Delta	70.6%	Phillips	63.5%
Denver	61.5%	Pitkin	34.3%
Dolores	54.6%	Prowers	59.3%
Douglas	71.2%	Pueblo	56.1%
Eagle	57.5%	Rio Blanco	57.6%
El Paso	58%	Rio Grande	51.6%
Elbert	64.9%	Routt	52%
Fremont	54.6%	Saguache	56.9%
Garfield	62.9%	San Juan	29.1%
Gilpin	49.1%	San Miguel	52.4%
Grand	57.2%	Sedgwick	60.9%
Gunnison	55.9%	Summit	46.7%
Hinsdale	46.6%	Teller	54.8%
Huerfano	57%	Washington	59.1%
Jackson	44.5%	Weld	62.9%
Jefferson	72%	Yuma	56.4%
Kiowa	54.4%	Kit Carson	44.8%

[8] Data was obtained through the Colorado Secretary of State's website. The data may be found at http://www.sos.state.co.us/pubs/elections/VoterRegNumbers/2014/January/TotalPMIVRequests.pdf.

Permanent absentee statistics were last updated February 3rd, 2014. Active voters are defined as those who have voted in the last election, updated their information since the least election, or recently registered to vote.

Table 3: Methods of Voting in Utah by County, 2012 General Election

County[9]	VBM[10]	Early[11]	Traditional[12]	Provisional[13]
Beaver	8.46%	40.15%	50.03%	1.36%
Box Elder	16.54%	20.43%	58.22%	4.81%
Cache	8.10%	28.37%	62.37%	1.17%
Carbon	4.95%	36.07%	55.70%	3.28%
Daggett	48.62%	50.59%	0.00%	0.79%
Davis	13.99%	34.89%	50.40%	0.71%
Duchesne	100.00%	0.00%	0.00%	0.00%
Emery	23.58%	75.89%	0.11%	0.42%
Garfield	33.87%	14.89%	50.79%	0.45%
Grand	22.54%	77.33%	0.06%	0.06%
Iron	17.21%	20.30%	57.32%	5.17%
Juab	7.64%	27.66%	64.62%	0.08%
Kane	22.67%	24.59%	52.35%	0.38%
Millard	40.17%	55.30%	1.08%	3.46%
Morgan	10.17%	31.50%	56.08%	2.25%
Piute	11.16%	23.75%	65.09%	0.00%
Rich	34.53%	65.47%	0.00%	0.00%
Salt Lake	27.09%	20.50%	49.92%	2.48%
San Juan	20.52%	33.63%	45.78%	0.07%
Sanpete	19.95%	14.18%	65.32%	0.55%
Sevier	9.26%	22.78%	67.41%	0.55%
Summit	11.46%	33.87%	51.05%	3.62%
Tooele	15.92%	27.44%	51.22%	5.42%
Uintah	8.10%	28.87%	60.77%	2.25%
Utah	11.03%	19.36%	69.48%	0.12%
Wasatch	11.50%	28.96%	56.71%	2.84%
Washington	20.80%	24.79%	48.85%	5.57%
Wayne	14.43%	16.98%	68.52%	0.08%
Weber	8.73%	30.40%	58.64%	2.23%

[9] Data was obtained through the 2012 Utah Voter File.
[10] Includes official VBM and absentee voters.
[11] Includes in-person early voting.
[12] Includes traditional polling place voters.
[13] Includes all provisional voters regardless of whether they were early, traditional, or absentee.

Voter Identification vs. Signature Verification

Like Utah, many states have adopted voter identification laws over the last several years. These have been intended to ensure that the individual casting the ballot is indeed the registered voter. While relatively few incidents of voter impersonation have been documented, perhaps it is the possibility that some have gone undocumented that motivated these laws.

In a VBM system, voter verification is conducted through a process of signature verification instead of voter identification. Colorado (like many other jurisdictions) uses software that is designed to take signatures from voter registration or DMV documents and compare them with signatures on ballot envelopes. Such software typically allows the user to set the program's sensitivity to differences between signatures. Signatures with a certain level of difference are flagged by the software for further evaluation by election judges (who should be trained in signature verification techniques). The effectiveness of signature verification will depend on the quality of the signatures available on voter rolls and/or through the DMV. We anticipate that issues with signature verification are less likely to occur with mass fraud (as ballots are kept secure and mass forgery of signatures with some degree of accuracy poses a formidable challenge). If an issue arises, we suspect it will be with valid votes that are rejected because of signature differences rather than massive numbers of fraudulent ballots with forged signatures.

Partisan Consequences of VBM

One common worry with any change in an electoral system is that the change will benefit one political party or demographic group at the expense of another. Scholarly studies suggest that VBM does not alter the composition of the electorate in any meaningful way. VBM primarily makes voting easier for people who would have voted anyways rather than mobilizing new voters. Studies in Oregon have shown that switching to VBM has not favored any particular party or demographic group.[14]

Section 2: Public Opinion on Vote by mail

When evaluating any policy change, it is natural to wonder about public support for the new policy. Surveys conducted in 2008 and 2012 by the Caltech/MIT Voting Technology Project found that, in Utah, only 11.9% of respondents in 2008 and 20.9% in 2012, supported all VBM elections. Across all states, VBM as an election reform received majority support only in Oregon and Washington (the two states that had implemented full VBM elections when the survey was fielded).

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[14] Southwell 2009

Following up on the results of a national survey with a modest sample size for Utah, we fielded questions on the October 2013 Utah Voter Poll[15] to gauge public opinion about possible reforms. Utahn's tend to approve of the traditional system, with an overwhelming 87% in favor of keeping "the current system with a choice of absentee voting by mail, early in-person voting, or voting on Election Day," while only 3% favor a system that would "use only mail ballots for all voters."

When asked to rate their agreement with various statements about vote by mail, voters acknowledge various strengths and weaknesses of VBM systems. Voters agree with arguments on both sides of the issue. We have fielded several original polls to assess public support for VBM initiatives. Majorities agree with the ideas that a mail ballot could be cast privately and that VBM elections would "be more convenient for me." However, majorities also agree that VBM "would encourage fraud," and that "a single day where all voters cast their ballots is a valuable part of our election system."

We wanted to determine whether experience with a VBM election influences voters' opinions on this issue. To that end, we've fielded a survey in Davis County to ask those who voted in the VBM primary election and compare their responses to the attitudes of individuals who had a high probability of voting in elections (as determined by a statistical forecasting model) and compare their responses.[16]

Our first question was a replication of the Utah Voter Poll question we referenced earlier. Our results (presented in Table 4) show that for both VBM voters and non-voters in Davis County, there is a strong preference for a wide range of options in the type of voting allowed. Perhaps most surprising are the minimal differences between voters and nonvoters in their preferences.

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[15] The Utah Voter Poll is fielded by Brigham Young University's Center for the Study of Elections and Democracy periodically throughout the year and has a strong reputation for accuracy.

[16] This survey continues to amass responses in the field as of this writing and the final report will share results with a larger sample size and appropriate margins of error. The survey was fielded on line by using a data warehouse to match information from the voter file to email addresses for the voters. Our match rate was approximately 50%. We then sampled nearly 25,000 email addresses, split approximately evenly between voters and the non-voters with the highest probability of voting as determined by a statistical model incorporating vote history.

Table 4: Preferences for Election System in Davis County by June 2014 Primary Participation

	VBM Voters	Non-Voters
System with absentee mail, early in-person, and Election Day voting	83%	83%
All VBM	8%	6%
Election Day only	9%	12%

n=217 for non-voters and *n* =304 for voters

In Table 5, we show a comparison between those attitudes of voters and high-probability non-voters in the June 2014 Davis County primary election. The survey reveals a reasonable amount of consistency across groups, though non-voters differ from voters in a number of potentially important respects. Just over 10% more non-voters express concerns about making mistakes on the paper mail-in ballot than express those concerns among voters. Relative to those who voted, about 11% fewer non-voters agree that voting by mail is more convenient for them, though the percentages are quite high. Concerns about fraud are higher among non-voters than they were among voters. Interestingly, voters were much more likely to perceive VBM as a cost-saving move than non-voters.

Across both groups, though, concerns about mailing ballots too late, failure of the post office to deliver their ballot, and the ability to vote privately in a VBM format are minimal. The most substantial concerns raised pertain to the potential for fraud, the potential for late-breaking information to make them want to change their votes, and the value of a single Election Day.

Finally, we asked voters whether it was a straightforward task to complete the ballot according to the instructions they received. The results were very clear that voters felt the instructions were clear and straightforward. Fully 73% of voters expressed that following the instructions was very easy and an additional 24% said the instructions were somewhat easy to follow. Only 2% said they were somewhat hard (none replied the directions were very hard) and the remainder indicated they couldn't remember how hard the instructions were to complete.[17]

[17] The sample size for this question was *n*=291 voters.

Table 5: Attitudes about Pros and Cons of VBM Systems in Davis County by June 2014 Primary Participation

	Percent of VBM Voters agreeing	Percent of Non-Voters agreeing
I am concerned I would return a mail ballot too late for it to be counted	34.0%	32.7%
I worry about making mistakes when completing and returning a mail ballot	17.0%	28.57%
I could vote with a mail ballot in privacy	90.7%	86.51%
People in my family could try to cast my ballot for me or influence my vote in a by mail election	21.59%	27.07%
I am confident the Post Office would deliver my mail ballot to the county clerk's office	87.05%	79.81%
Casting a ballot by mail would be more convenient for me	81.79%	70.51%
An election with mail ballots would encourage fraud	52.34%	63.77%
An election conducted entirely by mail would cost less than traditional Election Day polling place voting	63.0%	46.48%
A single day where all voters cast their ballots is a valuable part of our election system.	54.63%	56.88%
I worry that I would cast my ballot early and then hear important information that might change my vote.	51.98%	55.76%

n for non-voters ranges from 213 to 218 depending on skipped responses.
n for voters ranges from 301 to 304 depending on skipped responses.

Section 3: Administering Vote-by-Mail Elections

As a part of our analysis of all-mail voting, we talked to individuals in the Secretary of State's office in Colorado, Oregon, and Washington, as well as local election officials in Colorado and Washington, to learn about their experiences transitioning to vote by mail. We also examined the laws, regulations, and materials related to voting by mail in these three states.

Based on this review, we developed a survey of questions that were sent to county election officials in Utah. The questions focused on specific policy areas that we identified from our document reviews and discussions with election officials in other states. We also asked Utah election officials to speculate as to whether moving to vote by mail will make elections easier to administer and less costly to administer.

Attitudes toward Cost and Ease of Administration

We asked county officials two questions related to cost and administration of vote-by-mail elections. First, we asked: "If your county were to switch to all vote-by-mail elections, do you think it would increase the cost of holding an election, decrease the cost, or would the cost remain about the same?" Of the 24 counties that responded:

- 42% (10/24) said it would increase costs;
- 33% (8/24) said it would decrease costs; and
- 25% (6/24) said costs would stay the same.

Even among the six jurisdictions that have conducted vote-by-mail elections, three of them think it would increase costs and three think it would decrease costs.

Second, we asked: "If your county were to switch to all vote-by-mail elections but were required to also operate a limited number of early voting locations as well, do you think it would make your elections easier to administer, harder to administer, or about the same to administer?" Again, 24 counties responded and:

- 21% (5/24) said it would be easier to administer;
- 50% (12/24) said it would be harder to administer; and
- 29% (7/24) said it would be the same to administer.

Even among the six jurisdictions that have conducted vote-by-mail elections, three of them think it would make elections easier to administer and three think it would be harder to administer.

Electoral Integrity

Any transition to a new voting technology is ensuring that the electoral process has a high level of integrity. Ballots need to have strong levels of security over an extended period, as voted ballots will be returned and stored for over a month. All three states with all vote-by-mail elections have extensive laws, rules, and procedures related to ensuring that ballots are located in areas with appropriate security and access control. We asked counties about the measures that they take to secure their absentee ballots currently. Of the 25 counties that answered the security questions:

- 9 (35%) counties have 24 hour video surveillance cameras in their elections area;
- 3 (12%) log on paper entry and exit to the area where ballots are secured;
- 6 (23%) log electronically entry and exit to the areas where ballots are secured;
- 5 (19%) have a secured space with a two-person access requirement for accessing secured space for ballots;
- 4 (15%) have an alarm system;
- Half of counties (13) have fire security for ballots (sprinklers or fire boxes); and
- Only 7 counties (27%) have security against water damage for ballots (e.g., if the sprinklers went off).

Of the seven security items noted above, six (6) counties utilized zero of them, and (4) counties only had one of them.

The other key issue related to the integrity of absentee ballots is the signature verification process. Properly doing a signature verification is actually quite difficult. In Washington State, for example, there is a legal requirement that all county election officials receive training by the Washington State Police to learn about the proper ways for conducting signature verification. In a vote-by-mail environment, signature verification is the equivalent of checking an individual's photo identification. We asked counties about several issues related to signature verification and determined that:

- 6 (23%) counties have signature verification software;
- 16 counties report doing staff training related to signature verification;
- 5 counties provide a checklist of what to look for when doing signature training;
- No counties do any sort of training via law enforcement on signature verification; and
- 7 counties report doing no trainings related to signature verification.

Ballot Duplication and Voter Intent

When voters cast ballots on paper, the ballot can be damaged or the voter may mark the ballot in a way that cannot be read by the ballot scanning equipment. Ballots that have marking problems can be enhanced – the marks on the ballot are darkened – or duplicated – the voter's choices are transferred onto a new ballot and the new ballot and old ballot are linked by a unique identifier. More ballots cast on paper mean more potential for the need for ballot enhancement and duplication, both of which are time consuming processes requiring two staff members. Of the 26 counties that answered questions related to duplication and enhancement, 22 (85%) have a process for reviewing absentee ballots to see if they need to be enhanced and 24 (93%) have a process for reviewing absentee ballots to see if they need to be duplicated because of a defect. In 2012, most counties duplicated fewer than 60 ballots but one county duplicated 200, one 670, and Salt Lake County duplicated 7,000.

Duplicating a ballot correctly requires being able to interpret voter intent. Voter intent laws and regulations should provide clear guidance regarding what types of ballot markings constitute a vote. For example, if a voter fills in the bubble completely next to "Gary Herbert", another voter places an "X" in the bubble next to "Gary Herbert, another voter puts a check mark in the bubble next to "Gary Herbert", and yet another voter does not mark the box but writes in "Gary Herbert", have all of these individuals voted for "Gary Herbert"? A clear voter intent standard answers this question.

We asked the counties if they thought that the voter intent law and regulations in Utah were clear and, of the 23 counties that responded

- 7 (29%) said current law is very clear and specific;
- 13 (54%) said it is somewhat clear and specific;
- 3 (13%) said it is not very clear or specific; and
- 1 (4%) said it is not at all clear or specific.

When asked how they train workers to discern voter intent, 21 counties said that have two (2) poll workers examine the same ballot and compare the results, 11 counties provide examples of correct and incorrect markings, and 2 counties have a short course for workers on voter intent. There were 19 counties out of 24 who said that they send voter education materials to voters with their absentee ballots so that they know how to mark the ballot correctly.

Space and Technology

For an all vote-by-mail election, a county needs to have a secured space for processing ballots, space that can be secured for up to six-weeks, as ballots are returned, then counted, and canvased. Only 4 of 26 counties responded that they did not think they had the space to process ballots over multiple days.

Counties also will likely need technology tools to make the processing of ballots easier. Ballots need to be marked as returned, signature checked, sorted by precinct, and sliced open so that the ballot can be removed. All of these processes can be made easier with technology, and most jurisdictions do not have at least some of the equipment they may need. There were 26 counties who responded to these questions, and:

- 17 counties (65%) have software and hardware for scanning mail barcodes that would be effective in all VBM environments;
- 3 counties (12%) have an automated letter opener for opening absentee ballots;
- No counties have electronic ballot/mail sorting equipment, to sort ballots by precinct; and
- 17 counties (65%) have enough ballot scanning equipment to scan ballots effectively in all vote-by-mail environments.

Disability Services

Individuals with disabilities need to be served effectively, regardless of the voting technology used. With no regular regime of polling places, voters with disabilities have to be served in other ways. We asked counties about various methods of serving individuals with disabilities – methods that are used in other all vote-by-mail states. We asked counties whether they currently offer these services to permanent absentee voters with disabilities and then whether they thought that they could offer these services, in an all vote-by-mail environment. Many jurisdictions do not provide many of these services and some accommodations would need to be made so that the needs of individuals with disabilities were appropriately handled.

	Currently Provide	Could Provide
Two Election Workers visit a voter's home	3	4
Multiple Satellite Voting Locations	6	6
Visit Community Centers	3	4
Visit Senior Centers	8	12

Primary Elections

Primary elections in Utah can be complicated because non-Republican voters who are affiliated with another party can vote in any primary election for any other party. This can create complications for election officials. In addition, unaffiliated voters need to be informed of their ability to affiliate prior to the primary election. In asking about primary elections, we found that, of 24 counties responding, 22 counties (92%) notify unaffiliated absentee voters of their need to affiliate to participate in primary elections. For non-Republican absentee voters, in primary elections 18 counties (75%) send the voter only the primary ballot for the party

with which they are affiliated and 6 (25%) send the voter all of the primary ballots for which they are eligible to vote and let the voter return one of them.

The Experienced Counties: Lessons from VBM

Five counties with all vote-by-mail election experience responded to questions about their experiences with VBM and we learned that:

- All sent information about the candidates on the ballot, if applicable;
- All sent information about how to mark ballots correctly;
- 1 of 2 sent information about the ballot measures on the ballot;
- 1 of 5 provided information about where the voter could drop off a ballot; and
- 1 of 5 provided information about where the voter could vote in person.

When asked about interactions with their USPS representative, we found that all met with their USPS representatives to discuss envelopes and ensure they were the right size, and all informed the postal service to expect to discuss high volumes of mail. Four counties met to discuss any possible delivery issues (e.g., to rural areas) and four discussed the process of securing returned ballots at USPS. Three counties discussed the process of securely transferring ballots from the USPS to the county.

Mailing Services: In-House or Contracting

All vote-by-mail elections require sending every registered voter a ballot. This can be done in-house or contracted to a mailing house. Of the 24 counties who answered questions about these services, 8 would want to assemble ballot packets (ballot, return envelope, etc.) in-house and 16 would want to contract with a mailing house for this work. Contracting with a mailing house requires some effort to ensure that there is quality control regarding how the mailings are done. When we asked counties how they would supervise contracted mailing:

- 4 would have staff visit the mailing house during the election period;
- 3 would want a third party audit of mailing houses;
- 7 would want the Lt. Governor's office have a certification program for mailing houses; and
- 4 gave another answer (do it themselves, communicate with mailing house, depends).

Vote Centers

In Colorado, vote by mail is done in conjunction with vote centers, where voters can cast ballots in the 14 days prior to the election. Small counties have to have at least one vote center and larger counties have to have more. We asked several questions that pertain to the implementation of vote centers.

First, we would note that there are 6 jurisdictions with a large number of ballot styles; 3 counties have between 17 and 29 ballot styles and 3 have between 100 and 372. To do vote centers, these jurisdictions would need to have robust ballot on

demand technologies or electronic voting machines to accommodate the large number of ballot styles.

Second, there are 12 jurisdictions who only have a single early voting location and one has no early voting locations. This could have implications were jurisdictions to have vote centers in conjunction with all VBM.

Third, 52% of all responding jurisdictions do not have "live" voter registration – voter lists connected to the internet – for Election Day voting and 69% (18 counties) have live VR for early voting. This also has implications for implementing vote centers.

Conclusions

Our findings in this report suggest that vote by mail can be a legitimate and valid way to administer an election. However, just as traditionally-administered polling-place elections can be run with higher standards and better practices, the manner in which VBM is implemented is important for maintaining the integrity of the voting process.

In the course of our report we note that various counties have had different experiences with VBM and absentee systems. The counties, from their sundry vantage points, also have different perceptions about the impacts VBM would have on their counties. We see wisdom in accounting for the variety of experiences and perceptions among counties in crafting policy. We encourage policy makers to carefully consider the pros and cons of VBM systems before making changes in the manner in which they administer their elections, and to ensure that where VBM may be adopted it is done carefully to ensure the integrity of the election process.