

Legislators attack vote by mail, want statewide audit and return to paper ballots

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Two legislators are leading an effort to virtually eliminate vote by mail and mandate an independent audit of the 2020 Utah election, while state and county officials are pushing back and instead proposing tweaks to the existing system.

Republican Reps. Steve Christiansen of West Jordan and Phil Lyman of Blanding outlined for the Legislature's Judiciary Interim Committee on Wednesday their proposal for a return to paper ballots; independent election audits on an ongoing basis; photo ID required at the polls; and no private funds allowed for "registration or other election activities."

Christiansen referred to questions about election integrity being raised in a few counties but gave no specifics. But he said citizen concerns are evidence that the state should fund an independent audit of last year's election, similar to the audit of Arizona's results conducted after President Joe Biden's narrow win there last November.

"We should allow mail-in ballots only for those traveling or immobilized," Christiansen said, and voting machines should be scrapped and all ballots be counted at the precinct level. "There are enough concerns with those machines that we need to get back to the way we used to do it," he said.

Lyman, who received a pardon from then-President Donald Trump last year for his conviction in a federal lands protest, said the legislation also would bar "outside sources funding election integrity" programs. "That's a huge red flag," he said.

Christiansen said proponents of his and Lyman's ideas plan to launch a voter referendum on the issue within the coming days.

But Weber County Clerk-Auditor Ricky Hatch, representing the Utah Association of Counties, and Lt. Gov. Deidre Henderson, the state's chief elections official, defended the integrity of the state and local systems, and Henderson warned of the impact of false fraud claims.

"Utah's elections are secure, accurate and trustworthy," Hatch said. "At the same time, we recognize that voter confidence across the country is suffering." He noted that "Utahns hear what appear to be horror stories in other states or see complex statistical analyses that supposedly prove a stolen election."

He said local officials constantly work to improve systems and security, and he outlined layers of safeguards on registration, voting equipment and ballot processing. "Election officials are obsessed with risk and control," Hatch said. "State law and well-designed safeguards drive everything we do."

Hatch said election officials are proposing that the state conduct year-round voter registration database audits in which the lieutenant governor's office would spot check and verify registrations.

He urged voters to talk to and visit local election officials for answers. "Don't rely on the words of others," he said.

Responding to a question about outreach to educate the public on voting safeguards, Hatch said some has been done, "but it's expensive," and "calm, measured posts" on social media are drowned out by "inflammatory, outlandish ... and quite often incomplete" allegations of election problems.

Henderson spoke of "accusations and inaccuracies" about Utah election integrity and said the state has made methodical and deliberate election security advances over the years and will continue to do so.

"Our state has proven that ballot access and election security need not be a divisive and partisan point of contention," Henderson said. "This is one of the things we do really, really well. And our democratic principles include more voter turnout and not any kind of voter suppression."

An overflow crowd attended the hearing and dozens of speakers were given one minute each to comment. Many called for a statewide independent audit; said they do not trust election officials; alleged conspiracies regarding voting machines and other election issues; and attacked rank-choice voting, which has been adopted by some Utah municipalities this year.

Various interest groups, including the Utah League of Women Voters, the Alliance for a Better Utah and the American Civil Liberties Union of Utah, vouched for the existing system and opposed the Christiansen and Lyman proposals.

"Messing with our election process would be an attack on our freedom to vote and would tarnish Utah's well-earned reputation as a state that runs reliable elections," the ACLU's Marina Lowe said.

In a prepared statement later, the Alliance for a Better Utah's Melissa Nelson-Stippich called the hearing "an embarrassment for our state."

"The Legislature should be above hosting such a spectacle during an official meeting, the result of which was the spread of disinformation in an effort to sabotage future elections," she said. "If a few Utahns have misguided concerns about the most recent election, lawmakers should use that as an opportunity to explain and educate on Utah's gold-star election process, not further entertain false beliefs that threaten the people's ability to elect leaders who represent them and can deliver on their needs."

The committee took no action on the proposals, which are expected to surface in the 2022 Legislature.