



VICTOR IVERSON, COMMISSIONER | GIL ALMQUIST, COMMISSION CHAIR | ADAM SNOW, COMMISSIONER

July 9, 2024

County Commissioners' Statement on the June 25, 2024 Election

We, the county commissioners of Washington County, express our appreciation to Clerk/Auditor Ryan Sullivan and his elections team for their hard work and dedication in administering the June 25, 2024 election.

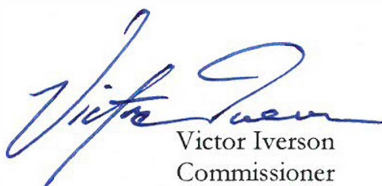
During the course of the election, there was some public discussion about ballot cure lists. A "cure list" is a rolling list of names and addresses of voters whose ballots have been received by the county but not yet counted, often because the signature on the ballot envelope does not match the voter's signature in state records. Every election has some number of ballots that need to be cured. During this election county staff contacted every voter needing to cure their ballot through every means including mail, phone call, text message, and email with whatever information the voter provided. In those communications, county staff notified the voter that his or her ballot was not counted, explained the voter's right to cure the ballot, and provided instructions for how the ballot might be cured. Many voters chose to cure their ballots, while others did not.

Utah's Election Code allows county clerks the discretion to decide whether to release cure lists to candidates. Washington County, along with a majority of other counties in the state, has had a longstanding practice of keeping the cure list private by not disclosing such lists for multiple practical and legal reasons. During this most recent election, our Clerk/Auditor received a request from a candidate for the ballot cure list. Out of concerns for voter privacy and anonymity, our Clerk/Auditor declined to provide the cure list to the requesting candidate. The candidate filed a lawsuit against the county to try to force the county to provide the list, but Judge Jay T. Winward ruled in favor of the Clerk/Auditor and held that Mr. Sullivan had the discretion under state law to decline to provide the cure list to candidates.

We also received questions about postmarks on ballots. As long as a ballot was postmarked before election day, it was counted. In the event that a ballot had more than one postmark, our Clerk/Auditor made the decision to accept the ballot as long as one of the postmarks was before election day. State law has strict requirements on what constitutes the valid return of a ballot, and does not allow for discretion or leniency based on affidavits, statements, or claims that a ballot should be valid even if it does not comply with state law.

As county commissioners, our limited role in the election process is to sit as the board of canvassers. Under state law, it is the responsibility of the county clerk to count the ballots and prepare a summary for our review. The board of canvassers is obligated under state law to review the summary reports that were prepared by the county clerk and certify the election. Error or poor practice from another agency, such as the USPS, does not constitute a remedy under state law. As a political subdivision of the State of Utah, we are required to follow state law. We are confident in Clerk-Auditor's administration of this election, and we were pleased to certify the results.

Again, we express our appreciation for the great work provided by Clerk/Auditor Ryan Sullivan and his staff in the June 25, 2024 election.


Victor Iverson
Commissioner


Gil Almquist
Commission Chair


Adam Snow
Commissioner