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Voting in Utah

Analyzing Current Practices and Future Options for Utah Voters



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The mission of Utah Foundation is to promote a thriving economy, a well-prepared workforce, and a high quality of life for Utahns by performing thorough, well-supported research that helps policymakers, business and community leaders, and citizens better understand complex issues and providing practical, well-reasoned recommendations for policy change.

Voting in Utah

Analyzing Current Practices and Future Options for Utah Voters

Voter registration and participation has been on the decline in Utah in the past several decades. Although some aspects of Utah's political arena such as the number of competitive races and the caucus-convention system are not easy for policy makers to tackle, other aspects regarding voter registration and methods of voting are. This report examines strategies and programs that Utah is currently implementing – either permanently or as a pilot project.

Research shows that employing a combination of programs and methods for both registration and participation creates the best environment of increasing voter turnout. Additionally, publicizing any changes to the existing system helps increase participation as well as reduce potential issues for voters.

KEY FINDINGS:

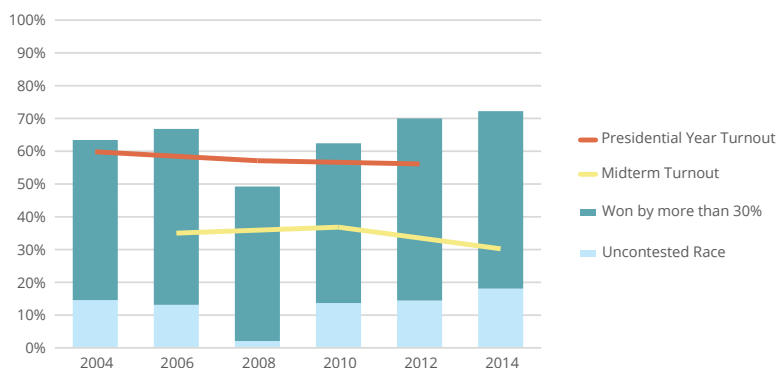
- Elements of all three voting recommendations put forth by the Governor's Commission on Strengthening Utah's Democracy in 2009 have been acted upon, both through creation of temporary and permanent legislative change (see page 3).
- Utah employs three innovative methods of voter registration outside of direct interaction with election officials: online, Election Day registration (as a pilot project in self-selecting counties until 2016), and preregistration for 16- and 17-year-old Utahns (see pages 4-8).
- Utah has long been the youngest population in the nation. This means that low voter registration in the youngest age group can translate to low voter registration for the state as a whole, although it has not always translated to low participation (see page 8).
- Vote-by-mail and early voting are two ways to reduce the theoretical cost of voting to potential voters (see page 10).
- Outreach to existing and potential voters is critical for any of the suggested solutions to be effective (see pages 7,8, and 10).
- Utah cities conducting all vote-by-mail elections saw an average increase in turnout from 21% in 2011 to 38% in 2015. A similar increase in turnout has been seen in the early years of vote-by-mail implementation in other states (see pages 10-11).
- A voting system which includes numerous options for voters, such as Election Day registration, early voting, or optional vote-by-mail, is more likely to see high turnout than a system without (see pages 8, 10, and 12).

This research report was written by Utah Foundation Research Analyst Mallory Bateman. Additional assistance was provided by Utah Foundation Research Director Shawn Teigen. Ms. Bateman can be reached for comment at 801.355.1400 extension 2 or by email at mallory@utahfoundation.org.

Special thanks to the Utah Lieutenant Governor's Office, Davis County Elections Manager, and the Ada County Elections Office for their help with this research.

Photo credit: Salt Lake County Clerk's Office, Utah Lieutenant Governor's Office, and Davis County Clipper.

Uncompetitive Races and Voter Turnout, Utah



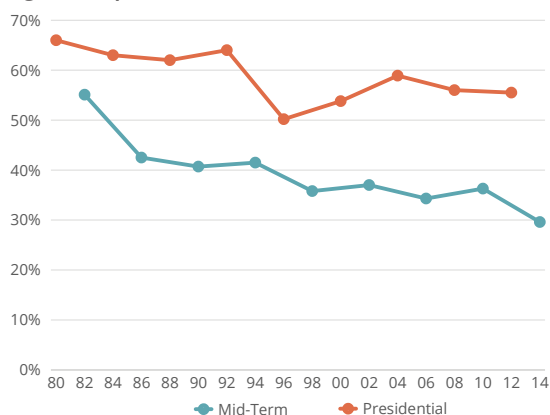
Source: Utah Lieutenant Governors Office, United States Election Project.

Note: This graphic was updated on September 9, 2017, due to a formula error that miscalculated uncompetitive races.

INTRODUCTION

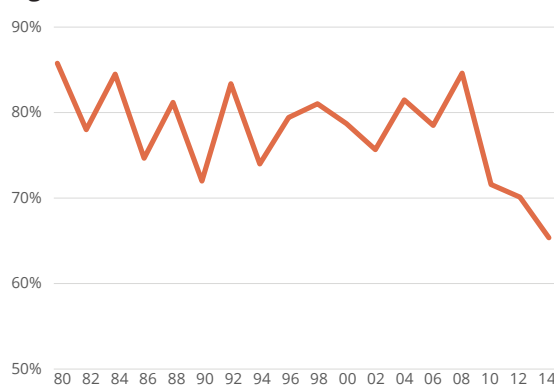
Voting is currently a hot topic, due in part to a presidential election which is just over a year away. In addition, 2015 is the 50th anniversary of the Voting Rights Act and the 20th anniversary of the full enactment of the National Voter Registration Act. This report explores how these acts have impacted the current voting landscape in Utah, what options Utahns have in regards to voter registration and participation, and potential areas for improvement seen through best practices across the nation. While Utah's voters helped the state consistently have high voter turnout in the 20th century, a fairly consistent decline in participation has been occurring over the past 20 years (see Figure 1). Voter registration has been declining in recent years as well (see Figure 2).

Figure 1: Voter Turnout in Utah, Percent of Voting Eligible Population 1980-2014



Source: United States Election Project.

Figure 2: Percent of Voting Eligible Population Registered to Vote in Utah, 1980-2014



Source: United States Election Project, Utah Lieutenant Governor's Office. Calculations by Utah Foundation.

The decline in engagement and participation over the past several decades has been attributed to several different issues. A chronically young population, less competitive races, and a complex caucus-convention system have all been suggested as reasons for low turnout.¹ While there have been a multitude of suggestions for improving youth engagement – especially after the 2008 election – the latter two issues are more complicated for policy makers to act on.

PREVIOUS ATTEMPTS TO IMPROVE PARTICIPATION

Attempts have been made in recent years to try to remedy the decline in participation and engagement statewide. In 2009, Governor Huntsman created the Governor's Commission on Strengthening Utah's Democracy (GCSD) to try to identify best practices across the nation to try to activate Utah voters. The GCSD was a 19-member commission of interested community members, government leaders, and civic leaders. The Commission published a list of recommended policy changes, some of which have been acted upon through legislation, while others are still being discussed. Although the state has made changes to the system, there has not been a significant increase in participation or registration. In part due to the lack of increased participation, a similar initiative was suggested in the 2015 Utah Legislative Session. House Bill 200 was proposed to create a Task Force on Voter Participation.

The 2009 Commission presented eight recommendations, three of which relate directly to voting. Some of these recommendations have seen follow-up action in the six years since their publication. While there

was quick uptake in adopting an online voter registration portal during the 2009 legislative session and updates to Military Voting during the 2010 legislative session; development of other legislation relating to the Commission's recommendations has taken longer to be supported and enacted.² For those elements of the recommendations which are still being developed or where new best practices have emerged, this report looks into options found across the U.S. relating to each topic. Figure 3 highlights the recommendations connected to voting and summarizes the developments that have occurred since their publication.

While the issues with military and overseas voting were rectified quite quickly, the other two goals – making voter registration both automatic and portable and improving the voter registration process – are still seeing developments. Statewide pilot programs, in addition to changes in other states, can help provide insight into how further improvements might be made. Since the issues that spurred the development of the GCSD are still occurring in the state, further discussion of these topics is warranted. In Utah Foundation research conducted earlier in 2015, two themes around these issues arose: Utahns commonly believe themselves to be registered to vote when they are not, and the trend of decreasing voter turnout since 2004 has not stopped.³

VOTER REGISTRATION

“A contributing factor to low voter turnout – including among young people – is the United States’ voter registration system.”⁴ This idea from Michael P. McDonald and Matthew Thornburg inherently creates some issues for a state with low voter turnout.

Voter turnout is traditionally highest in those states with the lowest hurdles to voter registration. North Dakota is the only state that does not require any voter registration, and Utah's neighboring states of Wyoming, Idaho, and Colorado are three of the 11 states and District of Columbia which participate in election-day registration. Turnout in participating Mountain West states was 9-15% higher than in Utah in 2014, and 3-13% in 2012. Figure 4 highlights other states across the nation that employ various techniques to try to increase opportunities for voters to register.

Previous Utah Foundation research has shown that while over 90% of Utahns believe themselves to be registered, only about 63% actually are.⁵ This difference between believed and actual gets more pronounced

Figure 3: GCSD 2009 Recommendations on Voting and Follow-Up

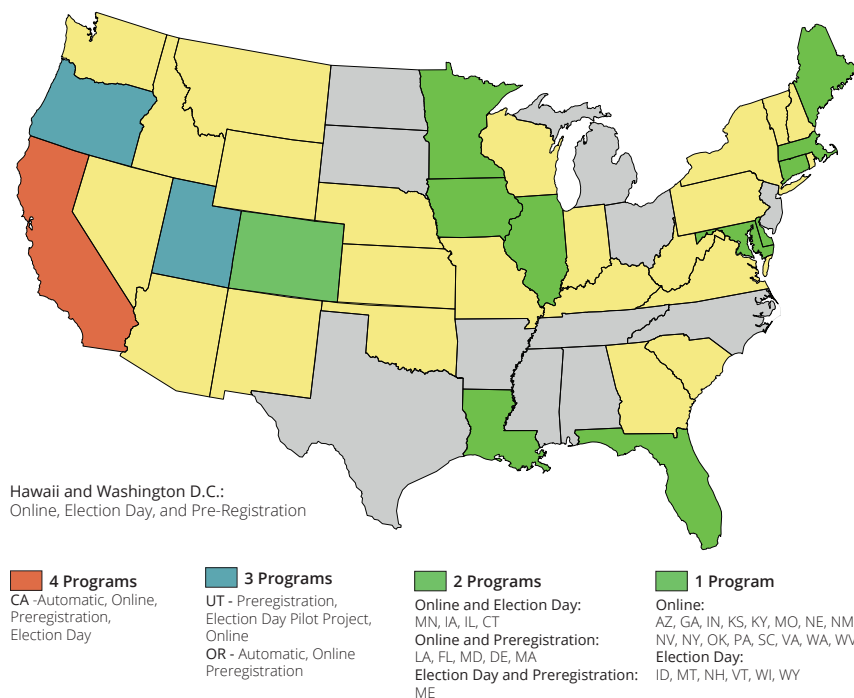
Overseas Military Voting Reform	
Commission Vote	12-0 (7 Absent)
Recommendation	
Allow overseas military voters to request absentee ballots electronically	
Move deadline to request absentee ballots from 20 days to 31 days before an election	
Provide the electronic transmittal of blank absentee ballots	
Follow-Up	
2010 Legislative Session – SB 216 (Sponsored by Ben McAdams)	
Allows for electronic filing of application for absentee ballot	
2011 Legislative Session – SB162 (Sponsored by Lyle Hillyard)	
Allows for electronic filing of ballot, when applicable	
Making Voter Registration Automatic & Portable	
Commission Vote	16-0 (3 Absent)
Recommendation	
Marking “opt-in” box on Utah State tax form, drivers’ license application, or social services form (when all relevant information is collected) would register Utahns to vote	
Lieutenant Governor’s office will utilize information provided by other government entities so voters only need to update a form with one entity and voter rolls will be updated	
Follow-Up	
2010 Legislative Session – HB 161 (Sponsored by Rebecca Chavez-Houck)	
2015 Legislative Session – HB 340 (Sponsored by Jon Cox)	
Allows for individuals who are 16 or 17 years old to preregister to vote via Drivers License Forms	
Improving the Voter Registration Process	
Commission Vote	16-0 (3 Absent)
Recommendation	
All Utah residents should have the opportunity to submit registration online to be either printed and given to the county clerk or submitted online	
Repeal Utah’s 20- and 15-day registration requirements and allow Utah residents to register on Election Day prior to casting their ballot	
Follow-Up	
Online Registration	
2009 Legislative Session – SB 25 (Sponsored by Peter Knudson)	
Allows for creation of electronic system for voter registration	
2014 Legislative Session – SB 117 (Sponsored by Margaret Dayton)	
Allows an individual to register online if driver license division does not have their signature but the Lieutenant Governor’s Office does	
Election Day Registration	
2014 Legislative Session – HB 156 (Sponsored by Rebecca Chavez-Houck)	
Established a pilot project to test advisability of implementing Election Day voter registration in Utah. Previous attempts at similar legislation: HB 91 (2013), HB 244 (2010)	
2015 Legislative Session – HB 219 (Sponsored by Rebecca Chavez-Houck)	
Expands 2014 election-day voter registration pilot to allow an individual to register to vote and cast a vote during early voting	

Source: Governor’s Commission on Strengthening Utah’s Democracy, Utah State Legislature, Legislative Response to Governor’s Commission on Strengthening Utah’s Democracy: Two Years Later. Compiled by Utah Foundation.

with each younger generation. While this is a trend that has been seen for generations across the U.S., Utah has the youngest population in the nation.⁶ This means that low voter registration in the youngest age group can translate to low voter registration for the state as a whole.

Part of this misunderstanding on the behalf of many Utahns may come from perceptions of coordination between agencies. The passage of the National Voter Rights Act (or “motor voter law”) in the early 1990s made states adopt systems to ensure easier connections between motor vehicle driver license divisions, other local agencies, the U.S. Social Security Administration, and election officials in the hopes of increasing voter registration.⁷ It does not, however, automatically register people to vote upon an interaction with the any of the participating agencies. People generally remember to change their address with their driver’s licenses or state identification, but do not assume that they also need to update their voter registrations.⁸ This has led to recent changes in policy in California and Oregon.

Figure 4: Voter Registration Programs in the U.S.



Source: National Conference of State Legislatures, Utah AGRC. Compiled by Utah Foundation.

Motor voter is the most used method of voter registration used in Utah. According to data from the 2014 Election Administration and Voting Survey (EAVS), between November 2012 and November 2014, two-thirds of new voter registrations in Utah were completed through the Driver License Division.⁹ This significant participation is also due in part to Utah having three main ways to register. Utahns could go the motor voter route, interact directly to their local election office in person or via mail, or register to vote online as long as their signature was on record with the Utah

Driver License Division. Two additional registration opportunities have come into being in the past two years – election day registration (2014) and preregistration for 16- and 17-year-old Utahns (2015).

Work by the Brennan Center for Justice at New York University has suggested several guidelines for states to participate in voter registration modernization. In 2011, the Brennan Center said that Utah was “leading the way” in voter registration modernization, due to the 2009 GCSD recommendations and the implementation of online voter registration.¹⁰ Utah’s existing responses to the Brennan Center’s recommended guidelines can be seen in Figure 5. The voter registration modernization effort is focused on increasing accessibility for citizens to vote, but also inadvertently addresses concerns of many states with aging voting systems. The Help America Vote Act of 2002 provided states with one-time funding to update voting systems and avoid

the issues witnessed in the 2000 presidential election. However, states are now dealing with nearly 15-year-old technology, with some states unable to find replacement parts or updates to software. Most states are currently researching new avenues for voting to deal with the removal of aging systems in the next five to ten years.¹¹

Figure 5: Voter Registration Modernization Guidelines and Utah Response

Topic	Description	Does Utah Currently Participate?
Automatic Registration	State election officials automatically register eligible citizens using reliable data from other government lists (creates an opt-out rather than opt-in system)	To an extent - Utah currently has an opt-in system coordinated with DMV and social service agencies
Portability	Once an eligible voter is registered, they remain registered and records move with them	To an extent - Utah voters must update their voter registration after updating their address with the DMV, which can be done online
Online Access	Voters can register, check, and update their voter registration online via a secure and accessible online portal	Yes
Safety Net	Eligible citizens can correct errors on the rolls or register before and on election day	To an extent - Election Day pilot project is set to sunset and be analyzed in 2016

In regard to innovative approaches to increasing feasibility and accessibility for Utahns to vote, this report details three options: online voter registration, a pilot project on election-day registration set to sunset in 2016, and a bill passed in 2015 to establish preregistration for 16- and 17-year-old Utahns.

Source: Brennan Center for Justice, Utah State Codebook. Compiled by Utah Foundation.

Online Voter Registration

Utah's implementation of online voter registration occurred in 2009, pre-dating the 2009 GCSD publication.¹² While Utah was an early adopter of this technology, it is now one of twenty-six states and the District of Columbia that employ online registration systems.¹³

As mentioned previously, motor voter is currently the predominant method of registration for new voters in Utah. For the group of newly registered voters between November 2012 and November 2014, 17% registered online, with Carbon County seeing the highest use of the online portal at 30%.¹⁴ Although 17% is a decrease from the time period between 2011 and 2012 (27%), Utah's use of online registration falls within the range of other states which have adopted the technology, with the exception of Arizona and California in which some areas are seeing over 50% of voters register online.¹⁵

While online registration increases ease and accessibility for voters to register, the system is somewhat constrained in "portability" due to timing. Currently, to change or update an existing voter registration in Utah, a resident has to first update their file with the Division of Motor Vehicles (DMV) either in person or online and then wait 5-10 business days before going to the voter registration website to update their registration. Additionally, when first enacted, the online registration was only applicable to those who had a signature on file with the DMV. A 2014 bill sponsored by Senator Margaret Dayton remedied that hurdle, by allowing individuals the ability to register online if they had a signature on file with the Lieutenant Governor's Office.¹⁶

Another method to encourage a more portable and automatic voter registration system has recently been signed into law in California and Oregon, and is being discussed as a potential change in a handful of other states.¹⁷ These laws automatically register all eligible citizens who interact with their state driver license divisions and allow those who do not wish to vote the ability to opt out. Differences in enrollment in other fields are drastic when comparing opt out to opt in programs. A 2009 study regarding savings plans showed enrollment around 25% when participants needed to opt in, but enrollment jumped to 84% when they

had to opt out.¹⁸ Similar results were seen when comparing opt-in to opt-out policies for organ donation.¹⁹ Creating a process which helps ensure registration thereby aligning with voters' assumptions removes one hurdle that is currently involved with political participation. The implementation of an opt-out policy was not generally supported during the discussions of the GCSD in 2009.²⁰

Deliberations regarding opt-out systems have not been without conflict. A common issue is the potential for fraud. The issue of fraud has been addressed in the California and Oregon laws by placing responsibility on county clerks to verify applicant information and determine if there is a reason that the applicant is ineligible to vote.²¹ Additionally, in Utah, incidents of voter registration fraud are rare – with only one instance being cited during legislative hearings about updates to the voter registration system through both online and Election Day registration.²² Even working within the existing motor voter framework, a potential issue with non-citizens voting has also been raised.

Online voter registration must be completed seven days prior to an election to be eligible to vote, and if it is completed less than two weeks prior then Utahns are required to vote on voting day instead of through the early voting process.²³ While this is an improvement over Utah's previous 30-day general voter registration deadline, people are becoming more and more accustomed to the instant processing of information. Research on web searches of Americans shows that 3–4 million additional Americans would have registered during the 2012 election in time to vote had deadlines been extended to Election Day.²⁴

Election Day Registration

Election Day registration was the second piece of the “Recommendations for Improving the Voter Registration Process” suggested by the GCSD. Although the two suggestions garnered full support of the GCSD members in attendance, Election Day registration only recently passed through the Utah Legislature. In 2014, House Bill 156 allowed Utah counties and municipalities to participate in a pilot project between 2014 and January 2017 to see whether or not Election Day registration should be recommended for use statewide.²⁵ The time frame allows participating entities to see the impact in three types of elections – municipal elections, mid-term elections, and a presidential election.²⁶ The program is not currently widely publicized.

Eleven states and the District of Columbia currently allow Election Day registration, with three additional states – Hawaii, Vermont, and California – having passed legislation though not yet implementing it.²⁷ Four of the eleven states fall in the Mountain West – Idaho, Colorado, Montana, and Wyoming. Wyoming and Idaho were early adopters of Election Day registration, implementing the practice in 1994 in response to the passage of the motor voter law. Montana and Colorado have both enacted legislation within the past decade, 2005

and 2013 respectively. Figure 6 highlights Utah's participating counties with similar counties in Idaho and Colorado.

Figure 6: Election Day Registration in Utah Pilot Project Counties and Comparable Counties in Idaho and Colorado, 2014

Utah		Idaho		Colorado	
Participating Counties	Election Day Registrations	Similar County	Election Day Registrations	Similar County	Election Day Registrations
Davis	290	Ada	17,205	Boulder	989
Kane	11	Lehmi	99	Rio Blanco	11
Salt Lake	815	N/A		Denver & Jefferson	1,764
Sanpete	4	Jefferson	433	Morgan	40
Weber	101	Canyon	1,965	Douglas	339
		Statewide Total	41,358	Statewide Total	8,501

Note: “Similar County” determined through population, population density, and population growth in the past 15 years using data from the U.S. Census Bureau.
Source: Election Administration and Voting Survey, U.S. Census Bureau.

Although many of the participating states in the Mountain West have not had much conflict with the implementation of Election Day registration, Montana

saw some contention after passage of the legislation. In 2013, legislation was passed to move the registration deadline back, effectively removing Election Day registration as an option, but it was vetoed by Governor Steve Bullock.²⁸ Arguments were based around long lines and delays at the polls on Election Day.²⁹ This created a legislative referendum which was presented to Montana voters in 2014 to do the same – effectively cancelling Election Day registration.³⁰ The referendum failed, with 57% of voters voting “no” on the measure. Similar referendums or legislative action have not been seen in other western states participating in Election Day registration.

In 2014, Idaho had the highest numbers of registrants of the four Mountain West states, due in large part to high participation in Ada County.³¹ In addition to being the most populated county, it is the home of the state capital, Boise. Data collection by the Idaho Secretary of State Election Division shows that Election Day registration has been over 10,000 since the early 1990s, with the past three presidential elections having over 38,000 voters register.³² In 2014, Ada County saw a slight increase in Election Day registration from the last midterm election in 2010. The Ada County Elections staff suggested that this increase could be due to several factors: multiple special issues being listed on the ballot which increased interest in the election generally, beginning outreach about the upcoming election on social media via methods such as Facebook and Twitter in 2014, voter registration drives on college campuses leading up to election, as well as population growth in the county.³³

The institutional knowledge of Idahoans in addition to outreach efforts by election officials likely lends itself to high participation. In order to facilitate Election Day registration, poll workers receive approximately a half-hour of training as part of the regular training for the position. Additionally, they are supplied with reference guides and “cheat sheets” to help them on Election Day.³⁴ These materials have been built up during the past 20 years, so cost estimates were not readily available. Depending on the type of election, polling locations in Ada County would utilize four to eight poll workers.

When asked for any advice for a state pursuing a pilot project regarding Election Day registration, the recommendation from Ada County was to publicize what to expect – early and often.³⁵ The main method used was a basic press release, with relationships existing with both traditional media and other platforms. This low-cost option was suggested as a great tool to ensure that people arrive to the polls knowing what to expect, in an attempt to reduce potential friction created with potentially longer wait times or voters not understanding changes to the existing system. There was no quantification of wait times available, although the elections office did say that in higher turnout elections there was definitely potential for longer waits for those at the polls.

Research has shown that Election Day registration can help improve turnout.³⁶ As noted, 3–4 million individuals would have registered to vote if they had the option to register on Election Day.³⁷ With further data from the 2015 and 2016 elections, Utah should consider formalizing Election Day registration statewide.

Preregistration

After the 2015 legislative session, Utah joined a list of eight states that participate in preregistration for 16 and 17 year olds. Although Utah’s law formerly allowed those Utahns who would be 18 by Election Day to register, this recent change allows even younger Utahns to get registered.³⁸ Although research of existing

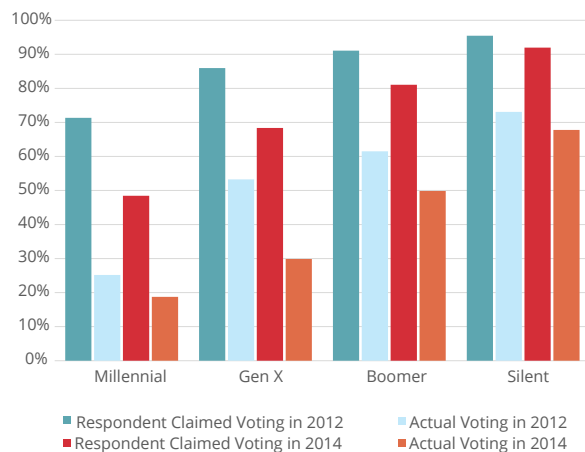
Methods of Outreach Used by Ada County, Idaho:

- Social media (Facebook, Twitter, etc.)
- Press releases to newspapers, TV news, etc.
- College campus voter registration drives

Suggestion for state looking to take on Election Day registration:

Publicize Early and Often

Figure 7: Political Participation by Generations in 2012 and 2014 Elections, Claimed and Actual, Utah



Source: Utah Foundation Survey, Utah Lieutenant Governor's Office.

preregistration systems in Florida and Hawaii showed that less than 50% of eligible teens preregistered, those who did tended to have persistently higher turnout rates over several elections than their peers who did not preregister.³⁹ Although there was some variation found in Hawaii and Florida for those who registered in presidential years, it seems that activating younger Utahns through preregistration could potentially increase that illusive block of youth voters. Figure 7 highlights the disconnect between generations on reported and actual participation.

Engaging various segments of the population can be done through multiple existing facets of the electoral system. Voters who preregister have the potential to be more familiar with the system, to be targeted by persuasion and mobilization efforts of campaigns as likely voters, and preregistration creates an easy

connection with civics classes and gives younger Utahns the ability to feel engaged. Potential disadvantages of preregistration focus around the high mobility of young people – an address used to register a 16 year old may no longer be valid by the time they reach 18 due to college, military service, church service, or simply moving away from home.⁴⁰ Additionally, cost of implementation for a robust program could be sizable – Colorado's implementation in 2013 was estimated at \$572,112.

McDonald and Thornburg's research of Hawaii and Florida resulted in recommendations for an effective preregistration system. They suggest several recommendations, including the following:

- Face-to-face contact between young people and election officials. A more passive program such as implementation through a DMV or by mail will see a smaller number of participants
- Cooperation and coordination between election and school administrators. Election officials in the study reported the best response from those areas where they had good coordination with the local schools
- Solicit cooperation from private schools, juvenile delinquency facilities, and home schools, since all eligible 16 and 17 year olds will not be found in public schools alone
- Recognize that one size does not fit all and allow for local election officials to create programming that works, while also recognizing school administrators' goals and schedules.

Utah does allow for county clerks to coordinate with public high schools and accredited nonpublic high schools, as well as allowing public and accredited nonpublic high schools to include voter registration forms in senior registration packets and collect and return those forms.⁴¹ This was an additional element of the voter registration amendments which also instituted preregistration. However, in order for preregistration to be successful in increasing voter participation, the suggestions from McDonald and Thornburg should be taken into consideration. A more proactive approach lends itself to higher rates of participation and continued interest.

Utah has one additional advantage in creating a preregistration system that could be effective. Utah is the youngest state in the nation. This translates to around 35,000 to 40,000 high school seniors each year, which creates a broad base of future voters.⁴² Although these teenagers might move on to other locations, Utah

also has a high number of in-state enrollees in the universities and colleges in the Utah System of Higher Education. In 2015, 87% of students enrolled in USHE institutions were considered in-state.⁴³ For those Utahns who preregistered and were made aware of the resources available through online registration and Election Day registration (if it continues), the state has created numerous methods for ensuring continued participation by those who register when they are 16 or 17 years old.

VOTER TURNOUT

Researchers McDonald and Thornburg assert that the current voter registration practices impede voter participation. Accordingly, Utah's approaches to increasing opportunities for Utahns to register to vote could potentially help increase voter participation. However, alternative methods of voter registration are either new or are only utilized by a small portion of the population.

In 2014, Utah set a new record low for voter turnout, with less than 30% of voters participating in the general election. This low participation rate shows that the concerns which created the Governor's Commission on Strengthening Democracy still need to be addressed.⁴⁴ Several issues continue to contribute to low participation by Utah voters, such as lack of competitive races, Utah's unique political process, and the cost of voting.

Competitive Races

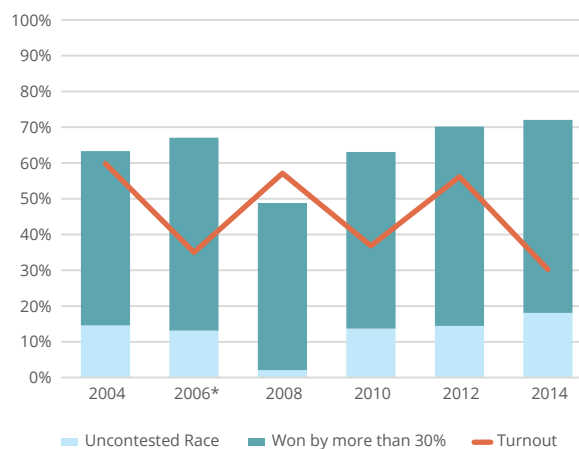
A lack of competitive races was apparent in the 2015 election cycle, in which 65 Utah communities cancelled their elections due to lack of opposition.⁴⁵ Although these elections were on a municipal level, a lack of competitive races has been increasing in statewide and federal races while turnout has been decreasing. In the past decade, the majority of races have either been won by a significant margin (30% or above, an indicator of an uncompetitive race) or have lacked an opponent. Figure 8 highlights the number of competitive races and voter turnout in presidential and mid-term elections between 2004 and 2014.

Utah's Unique Political Process

Utah is one of only seven states that still uses a convention process, and the only one that allows political parties to preclude a primary election for major offices if candidates receive enough delegate votes.⁴⁶ In 2014, the Count My Vote initiative attempted to change that system, by opening up the candidate nomination process to the public at large rather than a small portion of the population (party delegates) controlling it. The Count My Vote group suggested that their proposal would increase civic engagement and voter participation. Senate Bill 54 was passed during the 2014 legislative session, which utilized some of the text from the original initiative, and was touted as a compromise for all invested parties.⁴⁷

The Senate Bill 54 process has been legally challenged by the Utah Republican Party with a lawsuit currently in the court system. If it is not overturned, 2016 will

Figure 8: Uncompetitive Races and Voter Turnout, Utah



*Data for Multi-County State House seats in 2006 was unavailable at time of publication. Turnout based on Voting Eligible Population. Source: Utah Lieutenant Governor's Office, United States Election Project.

Note: This graphic was updated on September 9, 2017, due to a formula error that miscalculated uncompetitive races.

be the first year of implementation of Senate Bill 54, so the actual impacts on civic engagement and voter participation are yet to be seen. However, a survey conducted by Dan Jones and Associates in November 2015 showed that 57% of respondents favored maintaining the Count My Vote position of allowing candidates to gather signatures to get on primary ballots.⁴⁸ Although this is a slightly different question than that of nominations processes, Utahns have shown a desire to be able to participate in more direct democracy.

Cost of Voting

Political theorists have come up with many different ways to analyze the likelihood of people to vote. These methods usually involve multiple variables, such as perception of influence, sense of duty or gratification from participation, closeness of the race, and the cost of voting. The cost is usually a detractor in the equation, subtracted from the sum of the potential benefits. Factors that are considered in the cost of voting include the amount of time it takes to register, prepare to vote (such as learning about candidates), get to the polls, and vote. Utah voters' costs include these, but may also include becoming informed about the caucus-convention system and election timelines. When these costs are high for individuals, they are less likely to vote.⁴⁹

Vote-by-Mail

One way to reduce the cost of voting can be found in vote-by-mail elections.⁵⁰ It removes obstacles created by getting to the polls and finding time to vote when locations are open for limited hours. The option of entirely vote-by-mail elections began in Utah in 2012. Representative Eliason sponsored House Bill 172, which allowed for the Lieutenant Governor's office – in conjunction with election officers statewide – to administer and study the administration of voting by mail.

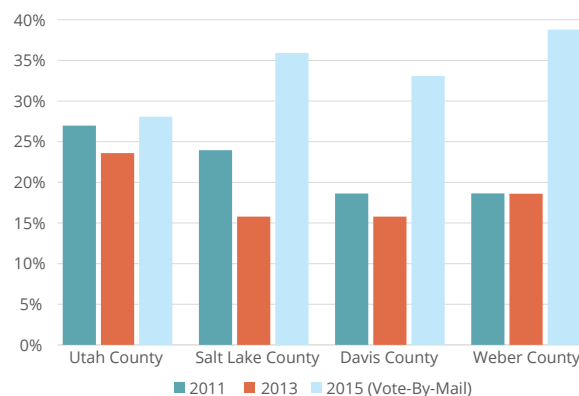
The resulting study, presented to the Government Operations Interim Committee in October 2014, stated that vote-by-mail could be a legitimate and valid way to administer an election, though it is highly dependent on the local context.⁵¹ Some issues that could come in the way of utilizing vote-by-mail are financial constraints and administrative issues, public opinion, and research showing the impacts on turnout could be limited. Smaller cities employing vote-by-mail might lack resources, such as secure facilities and counting machines to properly administer vote-by-mail elections.⁵² The report also cited research from Oregon, an already high turnout state, which indicated that a bump in voter turnout seen in vote-by-mail elections was due potentially to a “novelty” effect of the mail-in method or controversial local issues.⁵³ Additionally, research suggests that the implementation of vote-by-mail does not permanently add voters who would not have participated otherwise.⁵⁴

While the timing of the impact of vote-by-mail may be in question, there are methods that election officials can take to try to increase participation. Outreach to voters has an impact on their participation in vote-by-mail elections. Along the same theme as the commentary from the Ada County election officials, multiple communications help to increase awareness of vote-by-mail and also help to identify resources for further information. In a California case study, researchers found that each additional communication (via mailing) improved the odds of voting by 3.9%.⁵⁵ Mailers, canvassing, and other types of outreach can also serve as a reminder to those who were less likely to vote that an election is occurring, which in turn gets them to vote.⁵⁶

An analysis of the past 30 years of Oregon's vote-by-mail system showed a significant increase in turnout only in special elections when local issues created increased interest in such elections.⁵⁷ A 2012 study of 340 mayoral elections in 144 cities across the United States dating back to 1996 showed an average turnout of 25.8%.⁵⁸ Nationally, voter turnout in presidential elections has been at or above 50% since 1996. This relationship of turnout to the scale of the election is somewhat confounding – smaller elections can be decided by a handful of votes, whereas larger elections typically need larger numbers of votes to declare a winner.

In 2015, around 70 Utah cities decided to utilize vote-by-mail for their local elections.⁵⁹ Although a small number of these participating municipalities cancelled their elections due to lack of opposing candidates, those who did use vote-by-mail saw a bump from previous municipal elections. Appendix A shows a detailed list of over 50 cities which utilized vote-by-mail in 2015, with turnout percentages from their municipal elections in 2011 and 2013. The cities in Appendix A saw an average increase in turnout of 39% from 2011 to 2015. Figure 9 shows the average turnout in participating cities by county along the Wasatch Front. Although this might be due to 2015 being the inaugural year of vote-by-mail for many participating cities or the “novelty” impact mentioned above, it could also be attributed to the impact single votes can have on elections at the local level. Smaller communities saw higher turnout than larger cities, and average turnout for the participating cities in 2015 was 40%.

Figure 9: Comparison of Turnout in Municipal Election Years, Average of Participating Communities by County



Source: City and county websites, local election officials, Utah Voter Database.

Although vote-by-mail can increase awareness about smaller elections and potentially have larger turnout in localized issues, the implementation is not foolproof. In several instances in Utah, conflicts between how communities vote have created a clear need for increased coordination between local governments. The most recent example was seen in Utah County, where five municipalities decided to implement vote-by-mail though the county as a whole did not. Due to the presence of a countywide proposition on the ballot, the county suggested residents of the five participating cities could submit their ballots by mail for local issues but must vote in person for the countywide proposition. This led to disagreement between city and county election officials, with resolution coming after the Lieutenant Governor stepped in as a mediator.⁶⁰ The resolution was that those living in vote-by-mail cities were allowed to submit their votes on the proposition via their mail-in ballots, thereby not having to vote twice. Another implementation issue was seen in several close call elections in Salt Lake County, in which final canvass reports were not distributed until November 17 – two weeks after Election Day. This prolonged time frame is likely to be discussed in the 2016 legislative session.⁶¹

Early Voting and Vote Centers

In 2008 and 2012, Utah was one of nine states with the highest levels of participation in early, in-person voting.⁶² The implementation of early, in-person vote centers (a polling location for all members of the jurisdiction) creates a system that can potentially reduce stress on the system, see shorter lines, improve poll worker performance, prevent and correct errors, and create greater access to voting and increased voter satisfaction.⁶³ In Utah, early voting can take place two weeks prior to any given election. In the 2015 legislative session, Election Day registration was added as an opportunity for early voters.⁶⁴

Similar to vote-by-mail, early voting and vote centers help to reduce the costs of voting by giving voters more opportunities to get to the polls. Research in Colorado indicated an increase in voter turnout with the implementation of vote centers, especially for infrequent voters.⁶⁵ This increased accessibility for infrequent voters can be aided by later hours or even weekend early voting, which is available in Utah, 21 other states, and the District of Columbia. Weekend voting in Utah and the other participating states is up to the

discretion of local election officials.⁶⁶ Research also suggests that early voting should be part of a varied and diverse system with complimentary programs such as Election Day registration or optional vote-by-mail. When early voting is implemented without these supporting methods, turnout has been shown to decrease.⁶⁷

CONCLUSION

Utah's low voter engagement and participation during the past two decades cannot be pinned to any one cause. A combination of factors, including a lack of competitive races and a mildly complicated political process are issues that cannot easily be addressed by policy makers. However, there are options that policy makers can either codify through legislation or actively pursue that could help improve the political engagement of Utahns. Suggestions created by the GCSD in 2009 and other existing research have led to several viable options in recent years.

One indirect piece of many of these reforms that has led to positive impacts is publicity to educate and inform the public of changes. As seen in the example of Ada County, a concerted effort helped to increase use of the Election Day registration system as well as reduce the number of complaints received by the public. In the preregistration example, collaboration between election officials and schools had the best results. Similar positive impacts were seen in research conducted on vote-by-mail recipients, with those who received four informational mailers being more likely to vote than those who received no information about the new method of voting. Since local entities typically shoulder the brunt of cost for administering elections, collaboration between policy makers and local election officials should occur to find locally relevant and suitable methods of pursuing outreach.

Another aspect that is important to consider is continuing to utilize multiple different programs simultaneously. While early voting is good in theory, implementing it without supporting systems or programs such as Election Day registration or optional vote by mail makes it far less likely that increased turnout will occur.

APPENDIX A

Jurisdiction	Turnout Rate			Jurisdiction	Turnout Rate		
	2015	2013	2011		2015	2013	2011
Utah County				Weber County			
Alpine	36%	17%	25%	Harrisville	32%	13%	14%
Cedar Hills	23%	32%	36%	Hooper	35%	36%	39%
Lehi	22%	24%	26%	Huntsville	54%	N/A	0%
Orem	30%	18%	16%	North Ogden	38%	21%	23%
Vineyard	29%	27%	32%	Ogden	36%	20%	23%
Salt Lake County				Plain City	42%	18%	20%
Alta	55%	40%	52%	Pleasant View	40%	21%	23%
Bluffdale	31%	22%	27%	Riverdale	43%	21%	23%
Cottonwood Heights	34%	15%	21%	Roy	34%	8%	9%
Draper	30%	16%	18%	South Ogden	41%	15%	16%
Herriman	38%	14%	26%	West Haven	33%	13%	15%
Holladay	37%	12%	22%	Box Elder County			
Midvale	34%	8%	16%	Brigham City	22%	20%	22%
Murray	36%	12%	23%	Tremonton	26%	10%	11%
Riverton	33%	11%	23%	Mantua	37%	32%	34%
Salt Lake City	55%	13%	24%	Perry	41%	23%	24%
Sandy	30%	13%	16%	Wasatch County			
South Jordan	38%	11%	23%	Heber	50%	12%	13%
South Salt Lake	34%	23%	32%	Midway	52%	20%	21%
West Jordan	27%	11%	14%	Wallsburg	68%	N/A	N/A
Cache County				Charleston	61%	N/A	N/A
Logan	29%	12%	14%	Duchesne County			
Providence	47%	N/A	N/A	Duchesne	56%	N/A	N/A
Davis County				Roosevelt	51%	N/A	N/A
Bountiful	N/A	16%	17%	Morgan County			
Clinton	33%	11%	14%	Morgan	45%	6%	6%
Clearfield	30%	13%	16%	Grand County			
Farmington	34%	15%	18%	Moab	62%	16%	18%
Fruit Heights	37%	19%	22%	Emery County			
Kaysville	41%	23%	28%	Green River	65%	35%	36%
North Salt Lake	28%	10%	12%				
Syracuse	29%	19%	22%				
Woods Cross	33%	16%	19%				

Source: Utah Voter Database, individual city and county websites, and contact with local election officials by Utah Foundation.

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