

From: Mark Mitchell <markm@utah.gov>
Sent: Wednesday, October 30, 2019 9:30 AM
To: Pam Tueller
Cc: Justin Lee; Sherrie Swensen; Lannie Chapman
Subject: Re: KSL Inquiry--Deceased Voter Ballots

Pam,

Vital Statistics just sent over a new file. This one has data from the 31st, so that clearly means there was a mistake in the last file they sent. We didn't get any explanation just yet.

I've asked the dev team to queue up the file and run it in as soon as possible. It should run through in the next hour or so.

Mark B. Mitchell

Director of Elections Systems
Office of the Lieutenant Governor
State of Utah

markm@utah.gov
(801) 538-9581

On Wed, Oct 30, 2019 at 6:55 AM Mark Mitchell <markm@utah.gov> wrote:
Checking on it.

Mark B. Mitchell

Director of Elections Systems
Office of the Lieutenant Governor
State of Utah

markm@utah.gov
(801) 538-9581

On Wed, Oct 30, 2019 at 6:32 AM Pam Tueller <PTueller@slco.org> wrote:

Good morning,

It looks like we have received the death records from January 29th and 30th, but we do not have any from the 31st is that correct?

----- Forwarded message -----

From: **Mark Mitchell** <markm@utah.gov>
Date: Tue, Oct 29, 2019 at 1:56 PM
Subject: Fwd: KSL Inquiry--Deceased Voter Ballots
To: Justin Lee <justinlee@utah.gov>

Here's the file from [REDACTED]'s supervisor.

Mark B. Mitchell

Director of Elections Systems

Office of the Lieutenant Governor

State of Utah

markm@utah.gov

(801) 538-9581

----- Forwarded message -----

From: **Kevin Higgs** <khiggs@utah.gov>
Date: Tue, Oct 29, 2019 at 1:52 PM
Subject: Fwd: KSL Inquiry--Deceased Voter Ballots
To: Mitchell, Mark <markm@utah.gov>

----- Forwarded message -----

From: **Tom Hudachko** <thudachko@utah.gov>
Date: Tue, Oct 29, 2019 at 1:50 PM
Subject: Re: KSL Inquiry--Deceased Voter Ballots
To: Kevin Higgs <khiggs@utah.gov>

Hi Kevin - See below for the message I received from OVRs explaining what happened. A screenshot of the email is attached as well. Thanks

Human error. I think when I sent the 2019Jan15toJan28 data,

I was thinking February and there are generally only 28 days in February.

To: Sherrie Swensen <SSwensen@slco.org>
Subject: Re: KSL Inquiry--Deceased Voter Ballots

Sent from my T-Mobile 4G LTE Device
Get [Outlook for Android](#)

From: Sherrie Swensen <SSwensen@slco.org>
Sent: Thursday, October 24, 2019 4:43:23 PM
To: Cindy St. Clair [REDACTED]
Subject: RE: KSL Inquiry--Deceased Voter Ballots

Hi Cindy,

We can do an interview with you on this topic next week.

Thank you,



Sherrie Swensen

Salt Lake County Clerk

sswensen@slco.org

385-468-7370



  SLCO Clerk
Website

Thanks for the information. I think we'd still like to do an on-camera interview on this. Are you available this week or early next week?

Thanks!

Cindy St. Clair

-Producer, KSL Investigators-



www.ksl.com



From: Sherrie Swensen <SSwensen@slco.org>

Sent: Friday, October 18, 2019 5:29 PM

To: Cindy St. Clair [REDACTED]

Subject: RE: KSL Inquiry--Deceased Voter Ballots

Hi Cindy,

For every ballot returned by mail, we compare the signature on the ballot envelope affidavit to the signature on the voter's registration record. The signature is the version of identification that is required for a voter returning a ballot by mail. This is a copy of the signature box that is on the ballot return envelope.

From: Cindy St. C >
Sent: Friday, October 18, 2019 3:30 PM
To: Sherrie Swensen <SSwensen@slco.org>; Got-Vote <Got-Vote@slco.org>
Cc: [REDACTED]
Subject: KSL Inquiry--Deceased Voter Ballots

Hi Sherrie,

We've been contacted by a woman who looks after an elderly lady with dementia. Her husband has passed, but received a ballot in the mail this week. The caretaker reached out to us concerned that ballots are being mailed to dead people. The man in question is [REDACTED] who lived at [REDACTED]. This caretaker asked us to investigate.

I wanted to reach out and get some information about ballots that go to deceased citizens:

- How do you try and counteract this?
- How do you get your data about deaths in the county?
- What's the processing time for taking them off the rolls?
- Does the surviving spouse need to cancel the decedent's voter registration?
- Do you audit voter records to make sure deceased people are not voting?
- How often do you come across ballots that have been completed by allegedly deceased persons?

Could we grab an on-camera interview with you late next week on this topic for a news story? Please let me know what you need from my end.

Thanks!

Cindy St. Clair

-Producer, KSL Investigators-

[REDACTED]

From: Sherrie Swensen
To: [REDACTED]
Cc: snewton@disabilitylawcenter.org; Lannie Chapman; markwheatley@le.utah.gov; Justin Lee - State Election Division (justinlee@utah.gov)
Subject: RE: Accessible blind voting
Date: Wednesday, October 14, 2020 11:10:15 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)

[REDACTED]

This statement in your email to Justin Lee is **untrue**: *"I contacted your office requesting assistance voting as a blind person after the **Salt Lake County Clerk** told me my only option to vote was to go to a physical polling location to use a talking machine (when no other citizen is forced to do this) or to sacrifice my right to a secret ballot by having a friend help me fill out the ballot."* I have not spoken to you, and I certainly **did not tell** you that your only option was to go to a physical polling location to use a talking machine or have a friend help you fill out a ballot.

I received a message from Justin Lee on October 1, 2020 that you had been trying to get in touch with me. You had told him that you had sent a message to the county clerk four days ago, which would have been September 28th. Early voting does not legally open until October 20th, so we couldn't have offered you an appointment before that date. We first had to meet with our IT Manager to discuss the logistics of deploying a voting machine to your home, and what would need to be done in order to offer that in a secure and efficient way. As soon as we got that figured out, Lannie Chapman called you on **October 7th** and scheduled an appointment that would accommodate your work schedule. **You have an appointment at 9:30 am on October 28th** for two of our staff to bring a voting machine to your home.

I have not received a message from [REDACTED]. I called [REDACTED] tonight and explained that I have not received a message from him. I asked him what number he had called when he left his message. He said he had asked SIRI for the Salt Lake County **City** Clerk's number and called that. I do not know who he might have left his two messages with, but they did not get to me or anyone in my office. He probably received an erroneous number by asking for the "**city clerk**". I told [REDACTED] that Lannie Chapman will call him in the morning and set up an appointment with him. He was very appreciative. I also emailed [REDACTED] a link to a sample ballot for his precinct and one to the State Voter Information Pamphlet.

There are over 596,000 voters in Salt Lake County and we are trying our best to answer their questions, update addresses and process thousands of voter registration forms. We are working extremely long hours to accomplish the work that needs to be done to prepare for this election while trying very hard to be responsive to all voters.

Sherrie Swensen
Salt Lake County Clerk
sswensen@slco.org
385-468-7370

The man's name is [REDACTED], his phone number is [REDACTED], and I have copied [REDACTED] on this message. I have also copied my Utah State representative for my district as well.

Thanks,

[REDACTED]
[REDACTED]

From: Sherrie Swensen
To: molly.wheeler@hinckley.utah.edu
Cc: [REDACTED]; Sherrie Swensen; Hatch,Ricky; Jessica Murphy; Justin Lee - State Election Division (justinlee@utah.gov)
Subject: RE: Hinckley Forum on 2020 Election & Covid-19
Date: Thursday, June 11, 2020 12:51:39 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)

Hi Molly,

I could make tomorrow afternoon work. I have a meeting scheduled on Monday at 1:00 pm, but after that would work.

Thank you,



Sherrie Swensen
Salt Lake County Clerk
sswensen@slco.org
385-468-7370



[SLCO Clerk Website](#)

From: Justin Lee <justinlee@utah.gov>
Sent: Thursday, June 11, 2020 12:15 PM
To: MOLLY WHEELER <molly.wheeler@hinckley.utah.edu>
Cc: Frank Pignanelli [REDACTED]; Sherrie Swensen <sswensen@slco.org>; Hatch,Ricky <rhatch@co.weber.ut.us>; Jessica Murphy <JessicaMur@utahcounty.gov>
Subject: Re: Hinckley Forum on 2020 Election & Covid-19

Molly,

I'm open after 2:00 p.m. tomorrow, and could make almost anytime work on Monday.

Best,

Justin Lee
Director of Elections
Office of the Lieutenant Governor
State of Utah
801.538.1129
justinlee@utah.gov

On Thu, Jun 11, 2020 at 11:12 AM MOLLY WHEELER <molly.wheeler@hinckley.utah.edu> wrote:

- How does it impact voter turnout, fraud, election timelines etc.

Format: We will hold this forum virtually via Zoom and YouTube. The forum conversation will take place on Zoom and will be streamed to YouTube where people can watch the conversation live or watch the recording later. Frank suggested that we all hop on a Zoom call in the near future to discuss the flow of the panel. I also think it would also be great to have a tech rehearsal ahead of the event itself to troubleshoot any issues ahead of time. If using Zoom is going to be a problem for you or if you do not have access to a computer with video/audio capabilities, let me know and I will work on an alternative for you.

I'm looking forward to the conversation and grateful to you all lending your time and expertise!

Best wishes,

Molly Wheeler
Managing Director, Community Outreach
Hinckley Institute of Politics
molly.wheeler@utah.edu

From: Sherrie Swensen
To: Justin Lee; Derek Brenchley <dbrenchley@utah.gov> (dbrenchley@utah.gov)
Cc: Lannie Chapman; Pam Tueller; Jenn Brereton
Subject: RE: FW: Info on Referendum
Date: Monday, December 30, 2019 4:38:11 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.jpg](#)
[image008.png](#)

Thank you Justin.



Sherrie Swensen

Salt Lake County Clerk

sswensen@slco.org

385-468-7370



[SLCO Clerk Website](#)

From: Justin Lee <justinlee@utah.gov>
Sent: Monday, December 30, 2019 4:20 PM
To: Sherrie Swensen <sswensen@slco.org>
Cc: Derek Brenchley <dbrenchley@utah.gov> (dbrenchley@utah.gov) <dbrenchley@utah.gov>; Lannie Chapman <LKChapman@slco.org>; Pam Tueller <PTueller@slco.org>; Jenn Brereton <JBrereton@slco.org>
Subject: Re: FW: Info on Referendum

Hi Sherrie,

I don't know who prepared the video, but we can reach out to the petition sponsors and share these concerns. Thanks for letting us know.

Best,
Justin

Justin Lee
Director of Elections
Office of the Lieutenant Governor
State of Utah
801.538.1129
justinlee@utah.gov

(2) The county clerk shall use the following procedures in determining whether or not a signer is a registered voter:

(a) When a signer's name and address shown on the petition exactly match a name and address shown on the official register and the signer's signature appears substantially similar to the signature on the statewide voter registration database, the county clerk shall declare the signature valid.

(b) When there is no exact match of an address and a name, the county clerk shall declare the signature valid if:

(i) the address on the petition matches the address of an individual on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (2)(b)(i).

(c) When there is no match of an address and a substantially similar name, the county clerk shall declare the signature valid if:

(i) the birth date or age on the petition matches the birth date or age of an individual on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (2)(c)(i).

(d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county clerk shall declare the signature to be invalid.

(3) The county clerk may not provide a final verification of the signature packets submitted for a proposed referendum until eight days after the day on which a sponsor submits the final, timely signature packet to the county clerk to be certified.

Also, our Voter Services Manager Jenn Brereton wrote the following:

"The main concern I have is the Yeti App that they are using to determine if someone is registered to vote or not by scanning their Driver License. Where is their data pulling from..... We have had 2 concerned voters call today saying they were told that they were not eligible to sign the petition because they are not registered to vote, when in fact they are. It's not



jbrereton@slco.org

385-468-7420

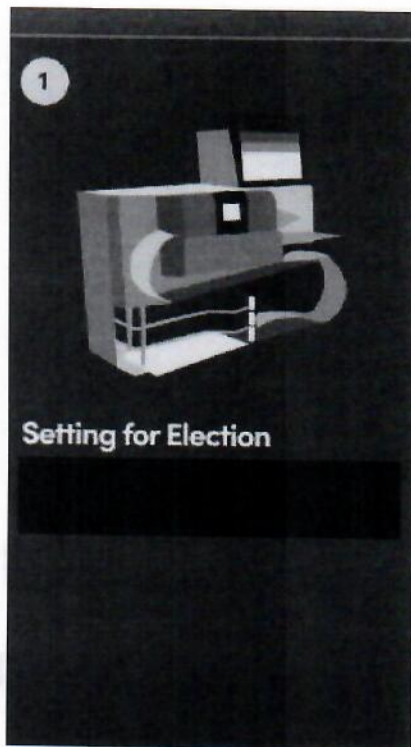


[SLCO Clerk Website](#)

[REDACTED]

From: Sherrie Swensen
Sent: Monday, October 26, 2020 5:01 PM
To: Seth Anderson; Justin Lee - State Election Division (justinlee@utah.gov); Derek Brenchley <dbrenchley@utah.gov> (dbrenchley@utah.gov)
Cc: Lannie Chapman; Mark Pemberton; Stephen Moore; Charlotte Kuhn; Loretta Garcia; Jenn Fowler
Subject: RE: Vote by Mail Fact Sheets

Hi Seth,
These are very nice, but please consider some minor changes.



From: Seth Anderson <sanderson1@utah.gov>
Sent: Monday, October 26, 2020 3:12 PM
To: VSUsersGroup Voting-Systems-Users-Group <vsug@utah.gov>
Subject: Vote by Mail Fact Sheets

Dear Clerks,

Our office is in the process of producing four fact sheets in response to increased curiosity surrounding some of the more technical aspects of vote by mail processes.

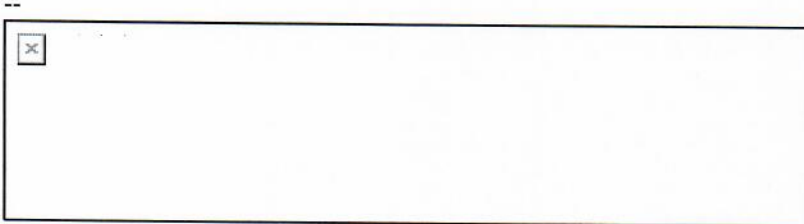
The themes of these graphics are:

- Signature verification & Cure letters
- Testing & Auditing
- Provisional ballots
- Election results

I have attached digital copies (PDF and JPG) for Signature verification/Cure letter and Testing/Auditing. Feel free to use these however you may see fit. We are putting the final touches on Provisional ballots and Election results and will have these to you in the next day or two.

Please let me know if you have any questions.

-Seth



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You received this message because you are subscribed to the Google Groups "vsug@utah.gov" group.
To unsubscribe from this group and stop receiving emails from it, send an email to vsug+unsubscribe@utah.gov.
To view this discussion on the web visit
https://groups.google.com/a/utah.gov/d/msgid/vsug/CAJ_pZDLgTUr9Q2sr44eqo5-8VAJWzjR32NV%3DPHi47C28JRBAkg%40mail.gmail.com.

From: Sherrie Swensen
Sent: Monday, October 26, 2020 5:27 PM
To: Justin Lee
Cc: Lannie Chapman; Derek Brenchley <dbrenchley@utah.gov> (dbrenchley@utah.gov)
Subject: RE: Vote by Mail Fact Sheets

Thank you Justin. We have some very worried voters out there, as you know.
I really appreciate your help.



Sherrie Swensen

Salt Lake County Clerk

sswensen@slco.org

385-468-7370



[SLCO Clerk Website](#)

From: Justin Lee <justinlee@utah.gov>
Sent: Monday, October 26, 2020 5:24 PM
To: Sherrie Swensen <SSwensen@slco.org>
Cc: Seth Anderson <sanderson1@utah.gov>; Derek Brenchley <dbrenchley@utah.gov> (dbrenchley@utah.gov) <dbrenchley@utah.gov>; Lannie Chapman <LKChapman@slco.org>; Mark Pemberton <MPemberton@slco.org>; Stephen Moore <SMoore@slco.org>; Charlotte Kuhn <CKuhn@slco.org>; Loretta Garcia <LGarcia@slco.org>; Jenn Fowler <JLFowler@slco.org>
Subject: Re: Vote by Mail Fact Sheets

Thanks Sherrie. We can make some updates.

Justin Lee
Director of Elections
Office of the Lieutenant Governor
State of Utah
justinlee@utah.gov

On Mon, Oct 26, 2020 at 5:00 PM Sherrie Swensen <SSwensen@slco.org> wrote:

Hi Seth,

These are very nice, but please consider some minor changes.

4

6

We are already being slammed with messages from voters who think we won't notify them of an issue with their signature until after Election Day. (The message on TRACK YOUR BALLOT is better than it was when it just said the county clerk had received the ballot. It tells them their ballot will be counted on Election Day. They now want to know why their ballot isn't being counted until Election Day, and they want to

make sure they will be notified before Election Day if there is an issue with their signature.

We don't wait until the canvassing period to notify voters if there is a problem with their signature. We are verifying signatures ongoing as ballots come in. By state law, a cure letter is ordered for a voter within 24 hours of the determination being made. We have already been sending cure letters to voters.

Thank you for your consideration,



Sherrie Swensen

Salt Lake County Clerk

sswensen@slco.org

385-468-7370



[SLCO Clerk Website](http://slco.org)

From: Adam Miller on behalf of Adam Miller <AMiller@slco.org>
To: Justin Lee; Sherrie Swensen
Cc: Rashelle Hobbs; Lannie Chapman
Subject: RE: Voter Registration Efforts in County Jail
Date: Monday, October 8, 2018 4:15:55 PM

Justin:

One quick point regarding convicted misdemeanants—

Section 20A-2-101.3 applies to persons convicted of a misdemeanor for a violation of the election code. Subsection (1) defines misdemeanant as “a person convicted of a misdemeanor **for an offense under this title.**” So the restrictions on registering and voting probably don’t apply to the vast majority of misdemeanants at the jail.

But as for convicted felons, I agree that the restrictions do apply to all convicted felons whose rights have not been restored pursuant to section 20A-2-101.5.

Let me know if you have any thoughts about this or an alternative reading.

Adam Miller
Deputy District Attorney
Salt Lake County
Tel. (385) 468-7774

From: Justin Lee [mailto:justinlee@utah.gov]
Sent: Monday, October 08, 2018 3:57 PM
To: Sherrie Swensen <SSwensen@slco.org>
Cc: Rashelle Hobbs <RHobbs@slco.org>; Adam Miller <AMiller@slco.org>
Subject: Re: Voter Registration Efforts in County Jail

It looks like the [REDACTED] posted on October 4 on Facebook that they turned in several forms collected from the jail to your office.

Justin

Justin Lee
Director of Elections
Office of the Lieutenant Governor
State of Utah
801.538.1129
justinlee@utah.gov

On Mon, Oct 8, 2018 at 3:41 PM Justin Lee <justinlee@utah.gov> wrote:

Hello Sherrie,

A reporter reached out to me today saying a group is being allowed to register inmates in

[REDACTED]

From: Sherrie Swensen
Sent: Wednesday, September 9, 2020 11:22 PM
To: Hatch,Ricky
Cc: lincoln@uacnet.org; Zeke Lee; ckoch@daviscountyutah.gov; justinlee@utah.gov; Cowley,Ryan
Subject: RE: Utah Policy: Elections and RCV prompt
Attachments: Utah Policy Comments regarding RCV VBM Sept 2020.docx

Hi Ricky,

I think your responses are excellent. I had just one comment as a clarification, and it in the attachment. I had written this about our ballot ordering process and the controls ballot ID numbers provide. You mentioned the ballot ID number and my version is lengthy, so you may want to keep your shorter version.

[REDACTED]

Thank you,



Sherrie Swensen
Salt Lake County Clerk
sswensen@slco.org
385-468-7370



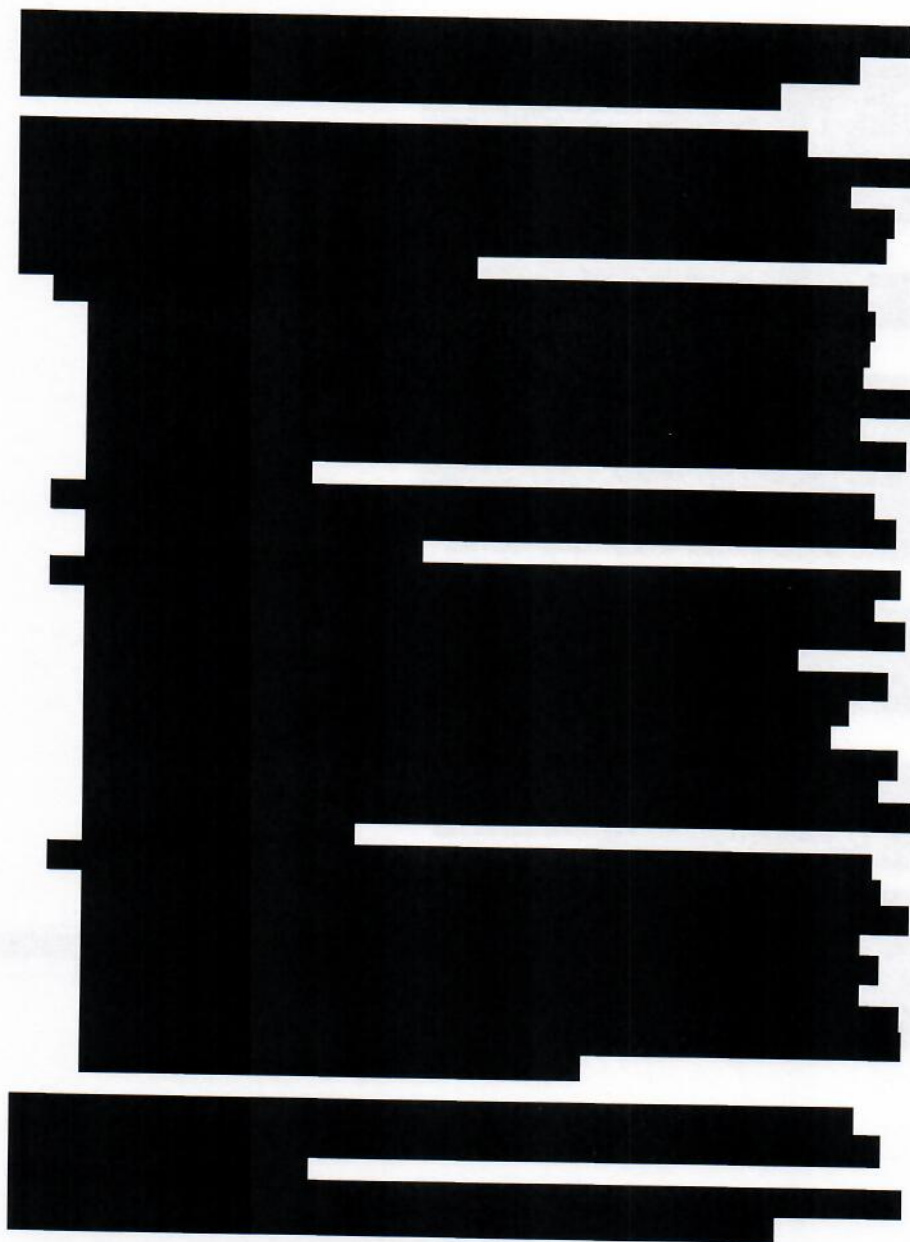
[SLCO Clerk Website](#)

From: Hatch,Ricky <rhatch@co.weber.ut.us>
Sent: Wednesday, September 9, 2020 6:11 PM
To: Lincoln Shurtz (lincoln@uacnet.org) <lincoln@uacnet.org>; Zeke Lee <zeke@uacnet.org>
Cc: Sherrie Swensen <SSwensen@slco.org>; ckoch@daviscountyutah.gov; justinlee@utah.gov; Cowley,Ryan <rcowley@co.weber.ut.us>
Subject: Utah Policy: Elections and RCV prompt

Here's a first stab. Would love any feedback!

I realize this is WAAAAY too long (1,100 words). I'll work on creating a short version tomorrow. Do we know approximately how many words they're looking for? And do they want to separate the VBM discussion from the RCV discussion?

Finally, Since their questions are about RCV generally and not Winder's bill, I didn't include any comments about consistency for the voter. Consistency is the best argument we have when it comes to the current situation and



From: Sherrie Swensen
To: [Justin Lee](#)
Cc: [Rozan Mitchell](#); [Dahnelle Burton-Lee](#)
Subject: RE: Re:
Date: Thursday, March 5, 2015 11:05:33 AM
Attachments: [Letter to constituent from Council Member Chuck Newton \(2\).docx](#)

Hi Justin,

I believe Anna West is trying to respond to misinformation that our voting equipment will be decertified for use next year. Attached is a letter that one of the South Jordan Council Member Newton wrote to a constituent. Within the letter he states:

"Quite bluntly, the voting machines that you have used for about the last decade or so are now obsolete. The manufacturers have gone the way of the solar calculator, and parts are non-existent and many machines are breaking down.

By law, the machines will no longer be able to be certified as accurate by the 2016 election -- you read that right -- the voting machines will not be used in the 2016 election because they no long meet the standard of law. That's not just in Utah, but across the nation."

I had forwarded this letter to Mark Thomas and asked if he could help us refute the idea that our machines will be decertified, but I know he has been extremely busy with the legislative session and I haven't heard back from him on this issue. I don't know where Council Member Newton got his information, but it is inaccurate, including the part about our voting machines being easily manipulated. I think he must have been reading some rhetoric on the Internet and it probably wasn't even about our specific voting equipment.

Part of the discussion with the South Jordan Council that seemed to impact their decision as to whether or not to have us conduct their 2015 municipal election by mail, was whether or not we will be moving toward vote by mail next year. We don't know yet, but if we offer our County Council a proposal to conduct our 2016 elections by mail, we will do so with including a number of vote centers and early voting where we will use our voting machines.

We are planning to use our DREs next year and the following year and possibly through 2020. We don't know how many of our machines we will need to deploy and that depends on the County Council's decision to move toward vote-by-mail in conjunction with vote centers. As you know, we purchased three high speed scanners and upgraded our software last year to extend the life of our voting system.

I hope this helps explain the reason Anna West is asking for this type of letter. Thanks and if you have any questions, please let me know.

Office regarding the use of electronic voting machines and their life expectancy. Also they want the Lt. Governor's Offices stand on Vote By Mail vs. electronic voting machines for Cities in Salt Lake County.

As for Utah, according to our City Recorder who attends the statewide meetings regarding these issues, the state is not prepared to move forward on an alternate system because there doesn't really seem to be a viable alternative to the Vote By Mail system, however the state has not even endorsed the Vote By Mail ballot system. 2016 will be an interesting year.

Speaking for myself, it made sense to move forward with it this election year during an off cycle in order to identify any bugs, and help our residents become familiar with the process if they haven't voted by mail previously, before the bigger 2016 election cycle since it seems most likely that the Vote By Mail system will end up being the standard - well, at least for 2016.

As a candidate up for election this year, don't get me wrong, I don't like the system as a candidate. In fact, I hate it! It has some serious pitfalls in my opinion, and the process has its problems so far as educating the voter.

But as a Council Member, I know that it provides people whose home, work and church schedules often conflict with voting, and makes it easier for people such as these, seniors, voters with young children and offsets the negative impact of bad weather making it easier to vote.

Despite the changes, this year voting booths will still be available for those that would rather vote in person. However, the booths will only be in one location at city hall, thereby saving the money costs of renting the hallways of the various schools from the school district.

Perhaps this option is still not optimal, but for now, no one has a better solution.

Best Regards,
Chuck Newton, Council Member
District 2
City of South Jordan