

Why the ACLU feels 'grave concern' about Utah clerks ahead of Election Day

By Art Raymond

@DNTechHive

Published: October 12, 2018 10:51 am

<https://www.deseretnews.com/article/900036603/aclu-says-utah-clerks-not-ready-for-election-day.html>

SALT LAKE CITY — With the midterm election less than a month away, some county clerks may not be up to speed on a new, day-of voter registration option, according to the American Civil Liberties Union of Utah.

The ACLU characterized its findings as causing "grave concern," and ones that could lead to potential voters being turned away from polling locations due to uninformed election workers.

An informal survey of eight county clerks' offices conducted by the ACLU found anomalies that included a failure to post updated information on Election Day registration by two counties; an inability to confirm that poll workers were trained in the new program by three counties; and a contention, made repeatedly by an employee at one clerk's office, that the vote-by-mail system had "eliminated" the need for Election Day registration. Another issue uncovered by the ACLU included voter information on one county's website from 2016 that had not been updated.

ACLU of Utah's legislative and policy counsel Marina Lowe said the issue surfaced when a staffer came across a county clerk's website that did not include any information about the new Election Day voter registration and, on additional inquiry, encountered further issues.

"We have a long history of interest in making it easier for people to exercise their right to vote, and we've worked for many years to help get the legislation passed in Utah to get this policy implemented," Lowe said. "Enacting is one part of the effort, but in order to have success, the people on the ground need to be ready to implement that policy."

Lowe said staffers began reaching out to some county clerks with a short list of questions about Election Day registration preparedness that covered worker training, public noticing on websites and how polling places would be staffed and stocked to accommodate those who may wish to register and cast a vote during early voting as well as Election Day voting. She noted that while not all 29 Utah counties were contacted by the ACLU, the number of issues that arose just in the surveyed group was enough to raise concerns.

Those concerns are shared by the Utah Lieutenant Governor's Office, which oversees state elections, according to State Election Director Justin Lee. Lee explained that while the state does oversee the election process and coordinates certain processes, the statutory responsibilities of conducting elections, and all that goes with it, falls under the purview of clerks.

"The way the system is set up, there are certain responsibilities given to the lieutenant governor's office and certain responsibilities given to county clerks," Lee said. "For instance, poll worker training and hiring is all done by the clerks."

Lee noted that while statute defines the different roles, his office was there to support the work of Utah's county clerks and, upon hearing about the ACLU's survey findings on Thursday, sent out communications to every county to highlight the necessity of getting current on staff training and public communications about the new Election Day registration policy.

"We're absolutely glad to have been made aware of it, and if there's an issue out there, that needs to be addressed. We want to help take care of it," Lee said.

While the ACLU declined to identify which counties it had spoken to, Salt Lake County Clerk Sherrie Swensen said her office, which will deploy about 350 poll workers for early voting and Election Day

operations, is up to speed and noted the new Election Day registration protocols didn't present anything new or unfamiliar.

"The Election Day registration process is essentially identical to the issuance of a provisional ballot, which has been part of the process for years," Swensen said. "The process is the same ... the training for it is the same as dealing with any other provisional voter."

Swensen's office was one of a handful across the state that previously participated in a trial run of the Election Day registration process, which Lee noted was conducted in about a half-dozen Utah counties between 2014 and 2016.

Utah Rep. Rebecca Chavez-Houck, D-Salt Lake City, sponsored last session's HB218, the legislation that created the Election Day registration option. Chavez-Houck said she was confident the counties that participated in the trial efforts were ready to go, but she was concerned about inconsistencies and an apparent lack of preparation in some areas.

"Finding out that some places aren't up to speed on this is concerning," Chavez-Houck said. "When we implement something statewide that's about improving access to voting and participating in our elections, the goal is to ensure that everyone is having the same experience, regardless of where they are voting."

Both Chavez-Houck and Lee said the upside of the ACLU's findings is that there is still time ahead of the Nov. 6 election for clerks to ensure their staffs and public communications were up to date. Lee noted his office will be following up on Wednesday's communication to clerks statewide to help ensure the new registration process is appropriately available across the state.

Most recommended

Straitpath - PROVO, UT

Oct. 13, 2018 10:47 a.m.

I am convinced any ACLU motive is to further the cause of liberalism. Therefore, I question whether there should indeed be same day voter registration. Should it really be "easy" to vote? Voting should be educated voting with studying and deliberation.

scrappy do - DRAPER, UT

Oct. 13, 2018 6:27 a.m.

Who cares what the ACLU thinks?

I don't

Misseleer71 - Salt Lake City, UT

Oct. 13, 2018 4:57 a.m.

I have personally vetted concerns about voter fraud with the state registrars office about voter fraud in Utah. For instance people who claim to have dual citizenship cannot vote because to vote they must declare allegiance to the USA and to no other country whether you are born in the US or not. Anyone who has not had any US and State history education in k-12 do not meet the citizenship requirements and cannot vote. Citizenship requires the study of and reading and understanding of the Constitution, Declaration Of Independence, and Bill of Rights, to become citizens to vote.

These are the same requirements all immigrants must meet before they can be granted and given citizenship. How Utah state can grant citizenship to children who have not met any of the requirements required by an education is an insult and injustice to our country's laws.

One other fact, if any American citizen leaves this country for more than 4 calendar years loses his citizenship automatically and cannot vote. Not even military are exempted from this requirement. Voter fraud is because state registrars do not understand or inquire about these citizenship requirements of all voters.

Herbert Gravy - Salinas, CA

Oct. 12, 2018 5:28 p.m.

@Impartial

Please tell us more about the voter suppression issues that occur only in red states.

Thanks.

Skinny Skip from Ojai - Ventura, CA

Oct. 12, 2018 4:20 p.m.

I've been an election clerk here in California for several years now. If you asked any experienced clerk any pointed questions regarding protocol, they'll probably get some of the answers wrong in the weeks prior to an election. That's why we have online training and a guidebook given to us along with classes in the month preceding each election. There was no mention of training given by the county registrars. I can't imagine that any county in Utah puts clerks or inspectors into place without some type of training. This sounds like the ACLU is misinformed.

Jimbo Low - PLEASANT GROVE, UT

Oct. 12, 2018 4:16 p.m.

It may be just a coincidence, but I find myself on the opposite side of virtually every position the ACLU takes on every case, every issue, everything.

The ironic thing is that I am very, very interested in American Civil Liberties. Either the ACLU or regular Americans who think like me have taken a huge wrong turn somewhere.

screenname - Salt Lake City, UT

Oct. 12, 2018 4:12 p.m.

Harrison,

No, they jumped the shark, or at least revealed what was obvious all along, when they sent around an internal memo saying that defending free speech would take a back seat to maintaining a good relationship with minority groups.

Impartial7 - DRAPER, UT

Oct. 12, 2018 3:45 p.m.

@BlueMoonOden - Hinckley, IL

Oct. 12, 2018 3:31 p.m.

Would they have grave concern in states such as California or Massachusetts? Only in red leaning states."

Perhaps because red leaning states don't have teams of GOP politicians scheming to suppress minority voting rights. BTW, where the report that Trump ordered to find the 3 million illegals votes for Hillary? Oh, that's right, Trump's DOJ said there was no massive voter fraud.

BlueMoonOden - Hinckley, IL

Oct. 12, 2018 3:31 p.m.

Would they have grave concern in states such as California or Massachusetts? Only in red leaning states.

DN Subscriber - Cottonwood Heights, UT

Oct. 12, 2018 2:51 p.m.

The ACLU and their pals in the Democrat party are always eager to find ways to facilitate voter fraud. There should not be "same day registration," and we should be more diligent about requiring voter ID and purging voter rolls of dead and moved citizens, and people who are not legal to vote.

Harrison Bergeron - Salt Lake City, UT

Oct. 12, 2018 1:33 p.m.

Just a week ago the ACLU was running ads comparing Brett Kavanaugh to Bill Cosby. This was their jump the shark moment. It was the unveiling of the political activists hiding behind the curtain of defending constitutional liberties.

An organization that is willing to slander, smear and defame an innocent person for political reasons has no moral position from which to speak.

at long last. . . - Kirksville , MO

Oct. 12, 2018 1:28 p.m.

Oh well then. . . if the ACLU says it, it must be so. LOL. Just another branch of the DNC.

Impartial7 - DRAPER, UT

Oct. 12, 2018 1:23 p.m.

T Interesting that most voter suppression issues are from heavily Red states. What are they so afraid of? Plus, to all you ACLU detractors. Why are you so afraid of equal treatment under that law? Did you detest the ACLU when they went to bat for LDS W.Virginia University student David Haws, when they wanted to cancel his scholarship for leaving on a mission; "Haws, a Mormon, is suing a state scholarship board, alleging it violated his First Amendment right to freely exercise his religion. His attorney argues that by denying Haws' request for a leave of absence, the board forced him to choose between his religion and his scholarship through a state program, known as PROMISE."

Utah has a long and documented history of discrimination against minorities, gays, women, etc. We need the ACLU because Utah power brokers never do the right things.

If you got transferred to a state that discriminated against LDS, that wouldn't let you marry, denied you fair housing, tried to keep you from voting or anything else- you'd be the first one's calling the ACLU.

Orson - Woods Cross, UT

Oct. 12, 2018 1:20 p.m.

Don,

You almost have a point.

But I trust the counties to get their act together, as the related story says they will, and if I want someone looking over the government's shoulder, I prefer the legitimate press, that speaks to the people, instead of the ACLU that uses the courts and threat of bad publicity to get what they want.

In the meantime I will be dry heaving with sundevildog every time I see them interfering in government.

HSTucker - Salt Lake City, UT

Oct. 12, 2018 12:56 p.m.

Dear ACLU: Please let us know when you've shifted back to protecting such civil liberties as "innocent until proven guilty." Then we can talk.

Don Bixby - Centerville, UT

Oct. 12, 2018 12:50 p.m.

This isn't really about whether or not you like the ACLU. Yes, they get involved in some crazy stuff. But don't just kick away this issue solely because they are involved. That's an ad hominem logical fallacy, attacking the person rather than their argument.

Yes, anyone else could make up their own organization and call the 29 county clerk's offices and ask them about these same issues, but they have actually taken the time to call at least a few of them. And they found that they are not following the law. Orson, you and your goldfish are willing to fight the ACLU's lawsuits, but are you and your goldfish willing to help the 29 county clerk's offices get ready for the upcoming election? Are you going to help audit their processes and train them on the new laws?

Having been turned away from a polling place once due to an issue with my registration, I understand what they're doing here. There's little more disappointing than showing up to vote and not being able to. More often than not, the people who get their supporters out to vote are the ones who win elections. What if you get your people out but then they can't vote when they get there? That's what this is about.

SunDevilCoog - West Jordan, UT

Oct. 12, 2018 12:05 p.m.

While election preparation and following the law is no joke and must be taken seriously, I can't help but dry heave every time I see the ACLU in a news headline.

Orson - Woods Cross, UT

Oct. 12, 2018 11:25 a.m.

The ACLU is a private extremist activist organization that has no jurisdiction or standing in government affairs. They like to think they run things but they don't. I don't think Utah government's need such a group telling them what to do or looking over their shoulder.

I could think up some clever name for me and my goldfish, and have the same group "authority" to order government around that the ACLU has. Who do they think they are? Their clout comes from threats of negative publicity and lawsuits. Governments, especially school districts, tend to jump when the ACLU tells them to because they can't afford to fight them in court. Taxpayer money should go to education, not litigation, and so the ACLU is able to push its ridiculous liberal anti-American agenda everywhere it wants. A truly unfortunate situation.

I would be willing to pay extra taxes to go into a legal fund to fight ACLU nuisance suits myself. If there was ever a group whose standards and purposes opposed those of most Utahns (outside of inner SLC), it is them. I hope the counties ignore them.