



**MIAMI-DADE COUNTY  
FINAL OFFICIAL MINUTES  
Mayor's Elections Advisory Group**

Miami-Dade County Elections Department  
2700 NW 87 Avenue  
Miami, Florida 33172

November 28, 2012  
As Advertised

Harvey Ruvin, Clerk  
Board of County Commissioners

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Clerk of the Board Division

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CLERK'S SUMMARY AND OFFICIAL MINUTES  
MAYOR'S ELECTIONS ADVISORY GROUP  
NOVEMBER 28, 2012

The Mayor's Elections Advisory Group (EAG) convened at 9:00 a.m. on November 28, 2012, at the Elections Headquarters Facility, 2700 NW 87<sup>th</sup> Avenue, Doral, Florida, 33172, there being present Miami-Dade County Mayor Carlos Gimenez and Members: Commissioners Sally Heyman and Dennis Moss; Ms. Alice Ancona, Mr. Kendall Coffey, Mr. Robert Fernandez, City of Miami Gardens Mayor Oliver Gilbert, III, Mr. Murray Greenberg, Ms. Lovette McGill, Ms. Gepsie Metellus, and Mr. C.J. Ortuno (Members Commissioners Bell and Sosa and Bishop Victor T. Curry were absent).

The following staff members were also present: Deputy Mayor Alina Hudak; Assistant County Attorney Oren Rosenthal; Supervisor of Elections Penelope Townsley; Inson Kim, Lorna Mejia and Cristina Crespi, Office of the Mayor; Carolina Lopez, Tara Smith, John Mendez, Rosy Pastrana, Michael Johnson, Christina White, and Gary Hartfield, Elections Department; Vivian Suarez, District 4; Samuel Wilson, District 9; and Deputy Clerk Mary Smith-York.

**OVERVIEW / INTRODUCTIONS**

Miami-Dade County Mayor Carlos Gimenez welcomed Advisory Group members and others in attendance to today's meeting. He noted today's session would include a review of Election Law and a tour of the Elections Department and its processes. He stated that although the EAG would examine what occurred at the November 6, 2012 election, including precincts closing after midnight and absentee ballots being counted days after the polls closed, the group would mainly focus on what should be done in the future. Mayor Gimenez expressed his desire to establish, in this County, the best electoral process in the nation, which might include implementing and changing some processes and systems as necessary. He stated that his goal, as Mayor, and that of the Commissioners, was to ensure that the citizens of Miami-Dade County experience a quick, easy, and comfortable voting process. He provided guidelines for today's presentations and established the timeline for the process.

In response to Commissioner Heyman's request to also address the issues that occurred during the Early Voting process, Mayor Gimenez stated that his intent was to address the entire voting process.

Commissioner Moss pointed out that the State of Florida was responsible for some of the problems that occurred on Election Day, including decreasing the number of days allowed for Early Voting. He expressed the need to prepare recommendations to change some current laws to accomplish a much better voting process for all residents.

Mayor Gimenez noted he wanted to explore those issues and decisions that were under the County's control, such as increasing the number of early voting sites, which created problems during the election. He stated this process would be devoted to examining what

happened and developing solutions for future elections, rather than determining who's responsible.

EAG Member Lovette McGille asked if extending the number of days for Early Voting was a budgetary issue and if plans were underway to encourage the Florida Legislature to address that issue.

In response, Mayor Gimenez stated extending the number of Early Voting days would present a budgetary impact to Miami-Dade County, as would most recommended changes. He noted the fiscal impact was an issue the EAG would need to explore during this process.

Miami Gardens Mayor Oliver Gilbert, III, expressed his desire to explore all the elements of the voting system, including how it should work, the correct process, and whether the system performed as it was designed to. He noted the group should focus on the actual time a person spent voting versus what time the polls closed, explaining that it took the same five hours, whether from 7:00 a.m. to Noon, or from 7:00 p.m. to 12:00 midnight.

Mayor Gimenez noted the EAG would focus attention on all the issues that occurred at the different precincts during the election process. He stated lengthy ballots would also be considered for a change in the process. He explained that the intent of this Advisory Group was to reach a consensus on recommendations to the County and State to ensure the same problems would not reoccur.

At Assistant County Attorney Oren Rosenthal's request, members of the Elections Advisory Group introduced themselves.

Deputy Mayor Alina Hudak advised the absence of members Bishop Curry and Commissioner Bell.

## **REVIEW OF ELECTION LAW/POLICIES AND PROCEDURES**

Assistant County Attorney Oren Rosenthal provided a brief summary of his legal background with Miami-Dade County and stated that he would present an overview of Florida Election Law. He noted his intent was to separate, on a general level, between the policy and procedures and legal areas of election law to help determine whether to direct your concern to the Mayor's Office, County Commission, or the State Legislature. Mr. Rosenthal advised that this EAG was subject to the Florida Sunshine Law and explained what that meant. He advised that all records generated by or on behalf of this group were considered public records and must be maintained. While reviewing the areas of consideration, Mr. Rosenthal explained that election law was only a part of the process, which consisted of policy consideration, legal consideration, and budgetary consideration, and stressed that changing one part required the changing of all parts. He noted another issue to consider was where the law originated, whether Federal and State levels, County ordinances/policies, or more importantly through rules and regulations propagated by the Secretary of State. Mr. Rosenthal pointed out that the Secretary of State was the Chief Elections Officer in the State of Florida. Following his overview,

Mr. Rosenthal presented a PowerPoint Presentation (see attached Exhibit 1) on Election Law, highlighting the following points:

#### ABSENTEE BALLOTS

- Requests
- Delivery
- Return
- Canvas
- Other Issues

In response to Commissioner Moss' inquiry as to whether the Canvassing Board completed its process since it convened until 5:00 p.m. on Wednesday after the election. Mr. Rosenthal stated they completed the canvassing of all Absentee Ballots. He pointed out that the canvassing process did not end there because Provisional Ballots were canvassed on after 5:00 p.m. on Thursday, after the election, and the Overseas Absentee Ballots could be received late. Mr. Rosenthal noted that over 50,000 absentee ballots were canvassed, this past election, within two days.

Mr. Rosenthal pointed out that State Law provided that the request and tracking of an Absentee Ballot must be kept by the Supervisor of Elections, which should include a record of who voted, when they voted, who has a request out, and who has a ballot pending. He noted this law classified that information confidential and exempt from the public records law, except for candidates; which meant candidates, voters, and election officials could identify who had an Absentee Ballot and who had or had not voted. He added that the media was not allowed to access this information.

Ms. Gepsie Metellus asked whether the Elections Department currently tracked the number of Absentee Ballots requested versus the number received back and what became of ballots deemed undeliverable by the U.S. Postal Service.

Supervisor of Elections Townsley stated ballots that were undeliverable would be returned to the Elections Department, examined to determine the reason for return, updated with the correct information, and noticed to the voter.

Responding to Commissioner Heyman's suggestion that the cutoff for in-person Absentee Ballots be changed to 5:00 p.m. on Election Day, rather than 7:00 p.m., Mr. Rosenthal explained that this was a policy issue for the State Legislature. Regarding her recommendation that Absentee Ballots be accepted at voting precincts, Mr. Rosenthal advised that this could be done; however, this would delay the canvassing process even further by waiting for all the precincts to bring the ballots to the Elections Department. He pointed out that Absentee Ballots would have to be accepted outside of the precinct.

In response to Miami Gardens Mayor Gilbert's question regarding State Law governing who was allowed in the polling place, Mr. Rosenthal advised that State Law listed those who were there for the purpose of voting were permitted to enter the polling place. He stated the Absentee Ballot voting would not be applicable; however, the Commission

could recommend this State Policy be changed to include persons submitting Absentee Ballots.

Miami Gardens Mayor expressed concern that an Absentee Ballot voter was not considered an individual voting at a polling place and stated he felt the best approach for any election would be to extend the franchise to as many people as possible.

In response, Mr. Rosenthal noted he believed that having the State change the law to make it expressly permissive would end any discussion on that subject.

Responding to Commissioner Heyman's question whether fifteen days was a sufficient amount of time for the Canvassing Board to complete the process for a countywide presidential election, Mr. Rosenthal again noted that was a policy decision made by the State.

With respect to Commissioner Heyman's question regarding whether fifteen days was sufficient, Supervisor of Elections Townsley stated that more time would provide for a better more efficient process, particularly with the volume of ballots that were received this year. She pointed out, however, that fifteen days was the result of a recent increase made by State law.

In response to Commissioner Heyman's question whether the number of Canvassing Board member could be increased locally, Mr. Rosenthal advised that the number of members was also set by Florida State Statute. He stated he was not aware of any federal regulation that would prohibit the State from having more than three members as the Canvassing Board. Mr. Rosenthal explained the process used the Supervisor of Elections when convening a Canvassing Board.

Mr. Rosenthal proceeded to discuss the Early Voting portion of the presentation highlighting the following points:

#### EARLY VOTING

- Locations
- Times
- Other Issues

Mayor Gimenez requested clarification regarding the County's inability to spontaneously open an additional Early Voting Site based on extensive lines at those sites already in operation.

Mr. Rosenthal advised that the County could negotiate with the Secretary of State to request approval to open additional sites with less than 30-days notice; however, the County could be sued for that action. He presented as an example a previous recall elections in which the designated times for Early Voting were changed, resulting in a lawsuit against the County for failure to provide 30-days notice of that change. He reiterated his comment that the County should petition the State to change this law.

In response to Commissioner Moss' question of whether decreasing the number of Early Voting sites would also be subject to legal issues, Mr. Rosenthal advised against not using previously designated sites. He pointed out that the policy behind the 30-day notice was to provide enough time for voters to know where to go.

In response to Miami Gardens Mayor Gilbert's inquiry as to whether municipal government buildings were limited to City Halls, Mr. Rosenthal confirmed that this was correct.

Deputy Mayor Hudak explained that requesting discretion with respect to the 30-day notice policy had been included in the County's Legislative Package for the past six years.

Commissioner Heyman questioned whether the Supervisor of Elections was authorized to begin preprinting ballots immediately after Early Voting to further expedite the voting process on Election Day.

Mr. Rosenthal cautioned against the concept of generating preprinted ballots and provided several reasons why this would create problems, including the need to supply sufficient ballot styles for the more than 100 ballots used by Miami-Dade County.

Miami Gardens Mayor Gilbert requested clarification on what constituted a Supervisor of Elections Branch Office and what was required for establishing a Branch Office a year in advance. He asked if the City of Miami Gardens could donate space in its City Hall to the County for the purpose of providing Elections services and after a year it could be designated a Branch Office of the Supervisor of Elections.

Mr. Rosenthal explained that the Voter Information Center located in the Stephen P. Clark Government Center downtown was a Branch Office of the Supervisor of Elections that constantly dealt with all services of the Supervisor of Elections and was staffed by the Elections Department's employees. He stated there could be other Branch Offices and explained that he believed if the City provided an employee at the site who provided all the services of the Supervisor of Elections Office, that location could be defended as a Supervisor of Elections Branch Office.

Miami Gardens Mayor Gilbert noted his belief that the City could provide that service at City Hall. He inquired this Advisory Group's objective was to request the State Legislators, who restricted the laws, to make them less restricted. He expressed concern that this would not be a good use of the Group's time.

Mayor Gimenez noted he believed that requests to change State Law from and an organized Advisory Group of this size would have a bearing on the State Legislature giving the issue consideration. He also emphasized the ability of the County to implement those recommendations presented by this Group that were under its purview.

Ms. McGill concurred with Mayor Gimenez' comments that this Advisory Group would be able to provide the State Legislators with recommendations to change those election laws that needed to be changed.

Commissioner Heyman advised that the Board of County Commissioners and the Mayor of Miami-Dade County, at the last Commission Meeting, deferred its Legislative Agenda at the State and Federal levels, to allow the input of recommendations for Election Law Reform. She noted the speakers today were differentiating between practice and law, County and State.

Commissioner Moss recommended that the County Commission and the County Mayor meet and discuss the Election Day issues, anticipate potential problems, and formulate solutions, prior to the electoral season.

Mr. Rosenthal noted, in response to Miami Gardens Mayor Gilbert's question, State Law restricted voters to voting only in their designated precinct in their residential community.

Ms. Townsley advised that 67% of voters turned out to vote this past election process.

Mr. Rosenthal initiated discussion on the Polling Place Rules and highlighted the following points:

#### POLLING PLACE RULES

- General
- Registers/Checking in Voters
- Order at Polling Places

In response to Miami Gardens Mayor Gilbert's inquiry of whether the 100 foot rule was measured from the entrance to the building or the door of the room where voting machines were located, Mr. Rosenthal stated that was left to the discretion of the Clerk of the Poll. He noted he would recommend the 100 foot rule be enforced starting wherever the line for voting was formed and reiterated that the law stated "100 feet from the door of the polling place."

Pertaining to EAG Member C.J. Ortuno's question whether the Poll Clerk was authorized to remove people from the school grounds while using the gymnasium as a polling place, Mr. Rosenthal stated the property owner, in this case the School Board, maintained control of the property. He added that the Clerk of the Polling Place had discretion to decide on State Law at their designated site and the Supervisor of Elections controlled the Polling Place. Mr. Rosenthal explained that Polling Place layout decisions would be made based on factors at individual sites.

Mr. Rosenthal initiated discussion on the Polling Place Rules and highlighted the following points:

#### RE-PRECINCTING

- BCC and Supervisor's Discretion
  - When to re-precinct
  - The shape and size of the precincts
  - Location of polling place in precincts

Commissioner Heyman noted she observed great disparity among the different precincts because of the varying number of registered voters from several precincts assigned to vote at the same polling place. She pointed out that some precincts had extremely large numbers of voters and others very little at the same site, causing fights to erupt due to inadequate parking spaces and difficulty maneuvering through the lines by voters who had no line at their precinct. Commissioner Heyman further noted the inability to recalibrate the unused machines because the request was not called in, and how this could be addressed.

Mr. Rosenthal stated this issue could be addressed by revisiting census boundary blocks and municipal boundaries, etc. and that this was an issue that the County Commission could change this policy should it desire. He pointed out that the reprecincting process could be done the same manner as the recent redistricting was done for Commission Districts.

Commissioner Heyman strongly encouraged her colleagues on the EAG to consider exploring options to address this precinct disparity issue.

Mayor Gimenez stated that the Supervisor of Elections had a plan to increase the precincts prior to this Election; however, several District Commissioners expressed concern regarding reprecincting so near the election date. He advised that the Administration made a policy decision to not implement redistricting at this time to avoid perception of disenfranchising voters. Mayor Gimenez stated that, in hindsight, considering the very lengthy ballot, not increasing the number of precincts might have been a bad decision. He pointed out that the Supervisor of Elections did her job properly; however, the policy was to not make the changes that close to the Election Day.

Commissioner Moss recalled voicing his concern about reprecincting so close to the election to the Supervisor of Elections and agreed that the decision to rescind reprecincting plans was based upon input from the County Commissioners. He acknowledged the need to revisit this issue in the future based on the outcome at this last election.

EAG Member Murray Greenberg presented an example depicting a situation in which a precinct was moved from one building to another due to construction that resulted in a lawsuit. He recommended members consider the unintended consequences when analyzing the re-precincting issue. Mr. Greenberg added that he strongly supported the County presenting recommendations to the State Legislature on issues that needed to be changed. He advised of his plan to propose that the State Legislature adhere the same rules that apply to other governmental entities, specifically limiting ballot questions to 75 words or less and observing Sunshine Laws.

In response to Mr. Greenberg's question as to whether Advisory Group members were required to file financial disclosure, Mr. Rosenthal advised that groups that convened less than a year did not need to file. He stated his understanding of the Mayor's intent for this group was that it would convene less than two months.

Having completed his presentation, Mr. Rosenthal opened the floor for public input.

Mr. Bill Mark, Resident of Coconut Grove and Registered Voter, appeared and expressed concern regarding the limited capacity to handle the workload at each voting site. He advised that at the beginning of the Early Voting period, the number of voters processed per hour were 70 to 90 at the Miami City Hall and 140 at North Dade Library. Mr. Mark noted changes were made at the North Dade Library that increased their voter processing speed; however, these things should have been done before voting started. He used his voting experience at the Stephen P. Clark Government Center to emphasize the point that changes needed to be made, adding that it took him over three hours to vote. Mr. Mark attributed the delay to insufficient intake scanners and workers to operate them. He spoke in support of investing the necessary funding into hiring more workers to accommodate the workflow and advised that he would be willing to volunteer to help with the workflow.

Mayor Gimenez agreed with Mr. Mark's comments in certain instances; however, he noted that the problem in his voting precinct was a lack of voting booths rather than the process, adding that different precincts experienced different issues. He noted the County needed to spend the funds necessary to address the issues and correct the process.

Ms. Alice Anacona, Greater Miami chamber of Commerce, 1601 Biscayne Boulevard, Miami, noted she looked forward to the recommendations and would be supportive on behalf of the business community in Tallahassee, Florida.

Hearing no further questions or comments, Mr. Rosenthal noted this concluded his presentation.

### **REVIEW OF PROCESSES DURING ELECTION**

Ms. Penelope Townsley, Supervisor of Elections, provided a brief overview of the presentation she would make regarding the processes used during election. She noted her presentation would help the EAG formulate recommendations by providing information on how Election Day Miami-Dade County was conducted. Ms. Townsley advised that following the presentation, she would conduct a tour of some major operational areas within the Elections Department. She stated the Elections Department would provide its recommendations to this EAG at the next meeting in the form of a report.

Ms. Townsley stated that the Elections Department's mission was to conduct fair and transparent elections with accuracy and integrity. She noted the department serviced 1.3 million registered voters, the largest of any county in the State of Florida. Ms. Townsley continued the department employed 91 full-time and up to 1,000 seasonal positions

during peak elections cycles. She pointed out that Miami-Dade County had the most complex elections operation in the State, due to this being the only county without a Consolidated Municipal Schedule. Ms. Townsley stated the department conducted approximately 20 elections per year and was comprised of five divisions with an annual operating budget of over \$21million. Following a detailed description of departmental staff members and their job descriptions, Ms. Townsley provided an overview of the steps taken by the department in preparation for an election. Following a brief video detailing the Absentee Ballot process to increase voter confidence, Ms. Townsley presented a PowerPoint Presentation highlighting the following points:

#### ABSENTEE VOTING

- Absentee Voting Defined
- Absentee Ballot
  - Requests
  - Returns
- ReliaVote Process
- Signature Verification
  - Presumed Valid
  - Presumed Invalid
- Securing the Ballots
- Absentee Ballot Opening
- Absentee Ballot Scanning
- Challenges

In response to Commissioner Heyman's questions what the cutoff for informing voters of an invalid signature determination, Ms. Townsley stated the notification was provided after the election certification period; therefore, the voter could correct the issue for future elections. She explained that the voter could not correct this issue for the current election because once the original ballot was received by the Elections Department, it was considered cast and could not be changed.

Mr. Rosenthal explained that in a few limited instances when a claim is made, with sufficient evidence, that an Absentee Ballot was stolen, a provisional ballot would be accepted by the Canvassing Board.

Pertaining to Mayor Gimenez' question as to what part of the process lasted four to five hours, Ms. Townsley advised that the sorting and slicing of the ballots required four to five hours. In response to Mayor Gimenez' inquiries regarding how long the signature verification process took and whether software was available for this process, she stated the time needed was contingent upon the number of ballots being reviewed and could take as long as two hours. Ms. Townsley advised that there were several signature verification software applications on the market, in response to Mayor Gimenez, and noted the department was in communication with vendors to develop a program compatible with the County's current system.

Commissioner Moss asked whether the staffing shortfalls had been a problem in the past, and if so, what could be done to address this issue.

Ms. Townsley advised that the seasonal employees were recruited in the same way as County employees were recruited, which included drug screening and mammogram exams. She noted those recruits who were placed in an employee pool and considered hired; however, they might not be called to work but were ineligible for unemployment

In response to Commissioner Heyman's question regarding what the employment timeframe was for Absentee Ballot employees, Ms. Townsley noted these employees were hired for fifteen days. She stated the employees were informed that, based upon the volume of ballots received, their employment period might be extended.

Commissioner Heyman expressed concern with the department incurring the cost for training and screening 150 people and having only 60 people actually report to work, adding that the employment pool needed to be revised.

Mr. Greenberg recalled that following the election in 2000, County employees were recruited to work at the polls during elections and noted they reported to duty at the polls and the cost was minimal.

Deputy Mayor Hudak advised that approximately 1,000 County employees were still used in preparation for elections; however, the Mayor would be addressing this issue further.

In response to Ms. Gepsie Metellus' inquiry as to the possibility to obtain an exemption from the Agency for Workforce Innovation that allowed seasonal election employees to retain their unemployment benefits, Ms. Townsley noted the Elections Department would research that recommendation. She stated efforts to engage employees through temporary employment agencies; however, 25 were hired and only ten showed up.

Mayor Gimenez pointed out that during Early Voting, the majority of last names tend to start with the same letters, while only a few names start with the other letters, causing one line to be much longer than the others during voter check in.

Ms. Townsley advised that an electronic poll book system (EVID) would eliminate the need for manual check-in and noted it would cost approximately \$5 million to equip all precincts with this technology.

Additionally, Mr. Michael Smith, Elections Department, noted that the EVID system would prevent voters with Absentee Ballots from voting again by denying them access and would also automatically upload the voter reports required by the State. Mr. Smith noted the system was currently in use in the Broward County Elections process. In response to Mr. Ortuno's inquiry as to whether Miami-Dade currently utilized the EVID system, Ms. Townsley advised that it was used in this County only during the Early Voting process.

Discussion ensued among EAG members and staff regarding the exceedingly long lines observed during the Early Voting period of the last election.

Commissioner Heyman requested Ms. Townsley to include in the post election report a breakdown of what caused the backup at each precinct, including decreased manpower, scanner malfunction, lengthy ballots, etc. for EAG review.

Ms. Townsley noted staff would conduct a precinct by precinct analysis of the various issues and concerns that surfaced with respect to equipment used this past election cycle and include those findings in the After Action Report.

Responding to Commissioner Moss' question regarding the equipment power requirements, Ms. Townsley stated that during Early Voting, connection was limited to two printer units per power outlet. She described various creative ways the department dealt with this issue, including using extension cords. With respect to Commissioner Moss' comment regarding power outages at certain precincts, Ms. Townsley advised that it was standard procedure to ensure Florida Power and Light Company representatives were on standby to quickly address power issues; however, she noted voting is never stopped due to a power outage.

In response to Ms. Townsley's comment that parking was increasingly challenging at Early Voting sites due to facility patrons and voters competing for space, Mr. Greenberg stated that Early Voting days include at least one of the days the libraries were all closed, or close the libraries for up to four days, to prevent that problem.

Ms. Townsley advised that Early Voting was conducted at some libraries on the Sunday when they were closed; however, she noted this did not appear to impact the parking situation.

Commissioner Heyman explained that daycare services were provided in most libraries which contributed to the issues that surfaced, including parking. She noted her preference was to seek other venues for election purposes. Commissioner Heyman asked Ms. Townsley to consider having those individuals who would remain at the site for the duration to park offsite and give voters the privilege of parking near the precinct.

In response to Miami Gardens Mayor Gilbert's inquiry as to whether the Supervisor of Elections had the authority to designate parking spaces when outside the 100 feet boundary, Ms. Townsley stated parking was not under the Elections Department's purview. She noted the department collaborated with the respective municipal/County officials to address parking issues as needed.

With respect to Mr. Coffey's question regarding the amount poll workers earned on Election Day, Ms. Townsley stated the Poll Clerk made \$246.00 and Inspectors made \$175.00.

Pertaining to Commissioner Moss' comment regarding the public's concern with the delay in transporting the voting terminals back to headquarters, Ms. Townsley assured everyone that no ballots remained in those terminals.

In response to Mr. Bill Mark's inquiry whether a revalidation of the machine's tally was every conducted, Ms. Townsley advised that a revalidation process was done the day after the election. She noted the State mandated audit performed a comparison between the votes tabulated by the machine and a manual count.

In response to Commissioner Moss' question regarding voters hand-delivering Absentee Ballots, Ms. Townsley stated this was a new initiative that was implemented when the Elections Department was not open on Sundays.

In response to Commissioner Moss' request for information regarding the lawsuit filed against Miami-Dade, Broward, and Palm Beach Counties, Assistant County Attorney Rosenthal advised that the lawsuit requested the referenced counties to open the in-person Absentee Ballot process on Sunday, Monday, and Tuesday, Election Day. He noted the County's position was that this was already being done, which was recognized by the courts.

#### **TOUR OF ELECTIONS DEPARTMENT**

Ms. Townsley invited everyone in attendance to join her staff on a tour of the facility.

#### **CLOSING REMARKS/FUTURE MEETING DATES**

Mayor Gimenez provided closing remarks and expressed his appreciation to everyone for their attendance. He stated the next Elections Advisory Group meeting was scheduled for December 13, 2012 from 2:00 p.m. to 5:00 p.m., at a location to be determined. Mayor Gimenez added that additional meetings would be held on December 19, 2012, from 2:00 p.m. to 5:00 p.m. and on January 7, 2013, from 9:00 a.m. to 12:00 noon, located in the Downtown Miami area.

#### **ADJOURNMENT**

There being no further business to come before the Mayor's Elections Advisory Group, the meeting adjourned at 12:37 p.m.



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Mayor Carlos Gimenez, Chair  
Mayor's Elections Advisory Group

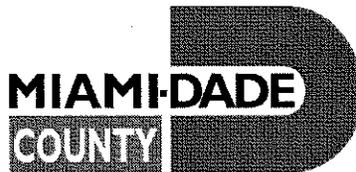


**Miami-Dade County  
Mayor's Election Advisory Group Meeting  
November 11, 2012**

Prepared by: Mary Smith-York

**EXHIBITS LIST**

<b>NO.</b>	<b>DATE</b>	<b>ITEM #</b>	<b>DESCRIPTION</b>
1	11/28/2012		Elections Advisory Group Agenda
2	11/28/2012		Review of Election Law/Policies and Procedures PowerPoint Hardcopy
3	11/28/2012		Early Voting PowerPoint Hardcopy
4	11/28/2012		Absentee Voting PowerPoint Hardcopy
5	11/28/2012		Election Day PowerPoint Hardcopy
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## **Elections Advisory Group AGENDA**

**November 28, 2012  
9:00AM**

**Elections Headquarters  
2700 NW 87<sup>th</sup> Avenue  
Doral, Florida 33172**

**Overview and Introductions**

**Honorable Carlos Gimenez  
Mayor**

**Review of Election Law/Policies  
And Procedures**

**Oren Rosenthal  
Assistant County Attorney**

**Review of Processes During Election**

- Early Voting
- Absentee Ballots
- Voting Day

**Penelope Townsley  
Supervisor of Elections**

**Tour of Elections Department**

**Penelope Townsley  
Supervisor of Elections**

**Closing Remarks/Future Meeting Dates**

**Honorable Carlos Gimenez  
Mayor**

**Attachments**

OVERVIEW OF SELECTED  
PROVISIONS OF FLORIDA  
ELECTION LAW

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Discussion Topics

- Areas of Consideration
  - Absentee Ballots
  - Early Voting
  - Election Day Precinct Rules
  - Re-precincting
- 40,000 Foot Overview
  - Not a comprehensive analysis of election laws
  - Election laws are only a small part of the process

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Absentee Ballots

- Requests
- Delivery
- Return
- Canvass
- Other Issues

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## Absentee Ballots - Requests

- Florida Law
  - Supervisor must accept written absentee ballot requests.
  - Requests are active for two general elections unless specified by the voter that request is for only the current election.
  - Supervisor must accept legal requests submitted in person or by mail.
  - Requests for mailed absentee ballots must be received by Supervisor no later than 5:00 p.m. on the sixth day before the election (COB Wednesday).
  - Requests for in-person absentee ballots may be received until 7:00 p.m. on election day.

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## Absentee Ballots - Requests

- Supervisor's discretion
  - May accept requests by telephone.
  - May accept requests via the internet.
  - May determine when and where to accept in person absentee ballot requests (method of request still governed by state law)

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## Absentee Ballots – Requests Select Statutory Provisions

- Florida Statute 101.62(1)(a)

"The supervisor shall accept a request for an absentee ballot from an elector in person or in writing. One request shall be deemed sufficient to receive an absentee ballot for all elections through the end of the calendar year of the second ensuing regularly scheduled general election, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot."
- Florida Statute 101.62(1)(b)

"The supervisor may accept a written or telephonic request for an absentee ballot from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian."
- Florida Statute 101.62(2)

"A request for an absentee ballot to be mailed to a voter must be received no later than 5 p.m. on the sixth day before the election by the supervisor of elections."

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## Absentee Ballots - Delivery

- Florida Law
  - Overseas absentee ballots may be mailed, e-mailed or faxed to overseas absentee voter no later than 45 days before the election.
  - Domestic absentee ballots may be mailed, picked up in person or picked up by a duly authorized representative.
  - Supervisors may not mail domestic absentee ballots earlier than the 35<sup>th</sup> day before the election and must mail pending domestic absentee ballots already requested by the 28<sup>th</sup> day before the election.
  - Domestic absentee ballot requests received after the 28<sup>th</sup> day before the election shall be mailed within two (2) business days of the request.
  - No domestic absentee ballot may be mailed later than four days before the election (Friday).
  - No domestic absentee ballots may be distributed after 7:00 p.m. on election day.
  - May not include extra information or items with absentee ballots

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## Absentee Ballots - Delivery

- Supervisor's discretion
  - Where and how to distribute in-person domestic absentee ballots.

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## Absentee Ballots – Delivery Select Statutory Provisions

- Florida Statute 101.62(4)(c)

"The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means ... By nonforwardable, return-if-undeliverable mail to the elector's current mailing address, ... By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters, ... By personal delivery before 7 p.m. on election day to the elector... [and ] By delivery to a designee on election day or up to 5 days prior to the day of an election..."
- Florida Statute 101.62(4)(a)

"No later than 45 days before each presidential preference primary election, primary election, and general election, the supervisor of elections shall send an absentee ballot ... to each absent uniformed services voter and to each overseas voter who has requested an absentee ballot."
- Florida Statute 101.62(4)(b)

"The supervisor of elections shall mail an absentee ballot to each absent qualified voter, other than those listed in paragraph (a), who has requested such a ballot, between the 35<sup>th</sup> and 28<sup>th</sup> days before the presidential preference primary election, primary election, and general election ... the supervisor shall mail absentee ballots within 2 business days after receiving a request for such a ballot."

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## Absentee Ballots – Return

- Florida Law
  - All domestic absentee ballots must be in the possession of the SOE by 7:00 p.m. on election day to be counted.
    - Limited exception for overseas military voters - 10 extra days only for federal offices votes.
  - After an absentee ballot is cast no changes may be made to the ballot and the voter may not vote via any other method.
  - Must have a method for voters to track ballot

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## Absentee Ballots – Return

- Supervisor's discretion
  - Where to accept the return of in-person domestic absentee ballots.
  - Proactive v. passive acceptance of absentee ballots.

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## Absentee Ballots – Return Select Statutory Provisions

- Florida Statute 101.67(2)

"All marked absent electors' ballots to be counted must be received by the supervisor by 7 p.m. the day of the election. All ballots received thereafter shall be marked with the time and date of receipt and filed in the supervisor's office."
- Florida Statute 101.68(1)

"After an absentee ballot is received by the supervisor, the ballot is deemed to have been cast, and changes or additions may not be made to the voter's certificate."
- Florida Statute 101.69  

"An elector who has returned a voted absentee ballot to the supervisor, however, is deemed to have cast his or her ballot and is not entitled to vote another ballot or to have a provisional ballot counted by the county canvassing board."

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## Absentee Ballots – Canvassing

- Florida Law
  - Supervisor shall compare the signature on the returned absentee ballot with the signature on file and determine eligibility.
  - Canvassing Board compares the signature and determines eligibility where the Supervisor has not made a determination.
  - Canvass and tabulation of absentee ballots may not start prior to the 15<sup>th</sup> day before the election.
  - Canvassing Board can receive voter challenges.
    - May not challenge an absentee ballot based on a defect on the voters certificate after a ballot has been opened.
  - Must notify voter if absentee ballot is rejected and give reason.
  - Must canvass absentee ballots on election night until complete.
    - Fla. Stat. 102.141(4)

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## Absentee Ballots – Canvassing

- Supervisor and Canvassing Board's discretion
  - Where and when to canvass absentee ballots within time provided by law.
    - Canvassing is subject to Sunshine Laws
  - Determination of validity of absentee ballot within Florida Law.
    - Courts give Canvassing Boards latitude in interpreting eligibility laws. (e.g., *Boardman v. Esteve*)
    - Determinations still subject to judicial review via the contest of elections statute or other legal challenge.

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## Absentee Ballots – Canvassing Select Statutory Provisions

- Florida Statute 101.68(1)

"The supervisor of the county where the absent elector resides shall receive the voted ballot, at which time the supervisor shall compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books to determine whether the elector is duly registered in the county and may record on the elector's registration certificate that the elector has voted ... After an absentee ballot is received by the supervisor, the ballot is deemed to have been cast, and changes or additions may not be made to the voter's certificate."
- Florida Statute 101.68(2)(a)

"The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m. on the 15th day before the election."
- Florida Statute 101.68(c)(1)

"The canvassing board shall, if the supervisor has not already done so, compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books to see that the elector is duly registered in the county and to determine the legality of that absentee ballot."

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### Absentee Ballots – Other Issues

- Supervised voting at nursing homes/assisted living facilities
  - By request of supervisor or facility
  - Must be more than five people in request
- Availability of absentee ballot request and processing information
  - Limited Access – Voters own records, elections officials, campaigns.
- “In person” absentee voting
- No polling place protections (100 ft rule, etc.)

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### Early Voting

- Locations
- Times
- Other issues

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### Early Voting - Locations

- Florida Law
  - May use only main or branch offices of the SOE, city halls, or permanent libraries.
  - EV sites (addresses and hours) must be identified 30 days prior to election in report to Secretary of State.
    - No last-minute changes to sites or times.
- Supervisor’s discretion
  - Determine number of sites and locations of sites but are limited to the above **types** of locations.

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### Early Voting – Locations Select Statutory Provisions

- Florida Statute 101.657(1)(a)

"As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any city hall or permanent public library facility as early voting sites; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable."

- Florida Statute 101.657(1)(b)

"The supervisor shall designate each early voting site by no later than the 30th day prior to an election and shall designate an early voting area, as defined in s. 97.021, at each early voting site. The supervisor shall provide to the division no later than the 30th day before an election the address of each early voting site and the hours that early voting will occur at each site."

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### Early Voting - Times

- Florida Law

- Early voting may only be held on the 8 days running from the second Saturday before the election to the Saturday before the election.

- Result of 2011 law (HB 1355) reducing EV from 15-day to 8-day period.
- Still legal challenges to this provision pending. (*Brown v. Detzner*, M.D. Florida)

- May be no less than 6 and no more than 12 hours per day

- Supervisor's discretion

- Determine hours of operation within each day.

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### Early Voting – Times Select Statutory Provisions

- Florida Statute 101.657(1)(d)

"Early voting shall begin on the 10th day before an election that contains state or federal races and end on the 3rd day before the election, and shall be provided for no less than 6 hours and no more than 12 hours per day at each site during the applicable period. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections."

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### Early Voting – Other Issues

- All voters standing in line at close of the EV site on any day must be allowed to vote. F.S. 101.657(c).
- Polling place restriction (Anti-solicitation zone, no photography, poll watchers) apply.
- Voting reports identifying voters who voted must be prepared daily and made available to requestors.

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### Polling Place Rules

- General
- Registers/Checking in voters
- Order at Polling Places

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### Polling Place - General

- Florida Law
  - There shall be one polling place per precinct, but there may be multiple precincts per polling place.
  - Polling place shall be staffed by Clerk and Inspectors
  - Poll workers shall be trained by supervisor prior to election
  - Polling place shall be opened at 7:00 a.m. on the day of the election and shall close at 7:00 p.m.
    - All voters standing in line by 7:00 p.m. shall be permitted to vote
  - Voters must vote in the precinct in which they have their legal residence and in which they are registered
  - Registered Poll Watchers permitted in polling place

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## Polling Place - General

- Supervisor's discretion
  - Location and arrangement of the Polling Place.
  - Appointment of Clerk and Inspectors and their numbers.
  - Servicing multiple precincts in one polling place
    - Subject to sufficient notice and conditions
  - Creating Polling Place procedures
    - State has a Polling Place Manual "to guide election officials and poll workers in the proper implementation of election procedures and laws." F.S. 102.041(5), Rule 15-2.034.

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## Polling Place – General Select Statutory Provisions

- Florida Statute 101.71

"There shall be in each precinct in each county one polling place which shall be accessible to the public on election day and is managed by a board of inspectors and clerk of election. Only one elector shall be allowed to enter any voting booth at a time; no one except inspectors shall be allowed to speak to the elector while casting his or her vote; and no inspector shall speak to or interfere with the elector concerning his or her voting, except to perform the duties as such inspector."
- Florida Statute 100.011(1)

"The polls shall be open at the voting places at 7:00 a.m., on the day of the election, and shall be kept open until 7:00 p.m., of the same day, and the time shall be regulated by the customary time in standard use in the county seat of the locality. The inspectors shall make public proclamation of the opening and closing of the polls. During the election and canvass of the votes, the ballot box shall not be concealed. Any elector who is in line at the time of the official closing of the polls shall be allowed to cast a vote in the election."
- Florida Statute 101.045

"A person is not permitted to vote in any election precinct or district other than one in which the person has his or her legal residence and in which the person is registered."

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## Polling Place – Registers/Checking in Voters

- Florida Law
  - A precinct register shall be used for the purpose of identifying the electors at the polls before allowing the elector to vote.
    - Either a computer print-out or an electronic database.
  - Voters must present state-approved identification at the polls.
    - Failure to provide approved identification will require a provisional ballot.
  - Each voter must sign in and poll worker must compare signature with that on the identification provided.
  - Poll worker shall check off on register who has voted.

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**Polling Place –  
Registers/Checking in Voters**

- Supervisor’s discretion
  - Utilization of electronic or printed precinct registers.
  - Management of the checking in process.
  - Organization of the precinct and layout.

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**Polling Place – Registers/Checking in  
Select Statutory Provisions**

- Florida Statute 98.461(2)  
"A computer printout or electronic database shall be used at the polls as a precinct register. The precinct register shall contain the date of the election, the precinct number, and the following information concerning each registered elector: last name, first name, middle name or initial, and suffix; party affiliation; residence address; registration number; date of birth; sex, if provided; race, if provided; whether the voter needs assistance in voting; and such other additional information as to readily identify the elector. The precinct register shall also contain a space for the elector's signature and a space for the initials of the witnessing clerk or inspector or an electronic device may be provided for this purpose."
- Florida Statute 101.043  
"The precinct register, as prescribed in s. 98.461, shall be used at the polls for the purpose of identifying the elector at the polls before allowing him or her to vote... The elector shall sign his or her name in the space provided on the precinct register or on an electronic device provided for recording the elector's signature. The clerk or inspector shall compare the signature with that on the identification provided by the elector and enter his or her initials in the space provided on the precinct register or on an electronic device provided for that purpose and allow the elector to vote if the clerk or inspector is satisfied as to the identity of the elector."
- Florida Statute 101.23  
"When any person has been admitted to vote, the person's name shall be checked by the clerk or one of the inspectors at the place indicated upon the registration books or voter history form provided by the supervisor."

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**Polling Place –  
Order at Polling Place**

- Florida Law
  - Poll Workers possess full authority to maintain order at the polls and may direct sheriff to assist in enforcing lawful commands.
  - Limited access to polling place during election.
    - Only voters actively voting, poll workers, poll watchers, SOE and staff, and invited law enforcement.
  - 100-foot no solicitation zone from door of polling place.
  - No photography of any kind in polling room.

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**Polling Place –  
Order at Polling Place**

- Supervisor and Poll Worker’s discretion
  - Method of enforcement of order at the polls.
  - Layout of 100-foot zone.
  - Who may be in polling places subject to legal restrictions.

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**Polling Place – Order at Polling Place  
Select Statutory Provisions**

- Florida Statute 102.031

(2) Each election board shall possess full authority to maintain order at the polls and enforce obedience to its lawful commands during an election and the canvass of the votes.

(3)(a) No person may enter any polling room or polling place where the polling place is also a polling room, or any early voting area during voting hours except the following: 1. Official poll watchers; 2. Inspectors; 3. Election clerks; 4. The supervisor of elections or his or her deputy; 5. Persons there to vote, persons in the care of a voter, or persons caring for such voters; 6. Law enforcement officers or emergency service personnel there with permission of the clerk or a majority of the inspectors; or 7. A person, whether or not a registered voter, who is assisting with or participating in a simulated election for minors, as approved by the supervisor of elections.

(4)(a) No person, political committee, committee of continuous existence, or other group or organization may solicit voters inside the polling place or within 100 feet of the entrance to any polling place, or polling room where the polling place is also a polling room, or early voting site. Before the opening of the polling place or early voting site, the clerk or supervisor shall designate the no-solicitation zone and mark the boundaries.

(5) No photography is permitted in the polling room or early voting area.

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**Re-precincting**

- BCC and Supervisor’s Discretion
  - When to re-precinct.
  - The shape and size of the precincts.
  - Location of polling place in precincts.

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## Polling Place – Order at Polling Place Select Statutory Provisions

- Florida Statute 102.031

(1) The board of county commissioners in each county, upon recommendation and approval of the supervisor, shall alter or create precincts for voting in the county. Each precinct shall be numbered and, as nearly as practicable, composed of contiguous and compact areas. The supervisor shall designate a polling place at a suitable location within each precinct. The precinct shall not be changed thereafter except with the consent of the supervisor and a majority of the members of the board of county commissioners. The board of county commissioners and the supervisor may have precinct boundaries conform to municipal boundaries in accordance with the provisions of s. 101.002, but, in any event, the registration books shall be maintained in such a manner that there may be determined therefrom the total number of electors in each municipality.

(3)(a) Each supervisor of elections shall maintain a suitable map drawn to a scale no smaller than 3 miles to the inch and clearly delineating all major observable features such as roads, streams, and railway lines and showing the current geographical boundaries of each precinct, representative district, and senatorial district, and other type of district in the county subject to the elections process in this code.

(d) The supervisor of elections shall notify the Secretary of State in writing within 30 days after any reorganization of precincts and shall furnish a copy of the map showing the current geographical boundaries and designation of each new precinct. However, if precincts are composed of whole census blocks, the supervisor may furnish, in lieu of a copy of the map, a list, in an electronic format prescribed by the Department of State, associating each census block in the county with its precinct.

Questions?



# Early Voting

Miami-Dade County  
Elections Advisory Group  
November 2012

# What is Early Voting?



- Early Voting is defined as “casting a ballot in person prior to election day at a location designated by the Supervisor of Elections and depositing the voted ballot in the tabulation system.” The voter uses the same type of voting equipment that is used at the polls on election day. In all elections when there is a state or federal office race, early voting is required. Early voting may also be offered in county, municipal and other local elections.

# Legal Requirements



- **Early voting begins 10 days before an election and ends on the 3rd day before any election in which there is a state or federal office race.** Early voting may be held for a maximum of 12 hours, but no less than 6 hours, a day.
- The hours for each day for each early voting site during that period are set at the Supervisor's discretion.
- Supervisors of Elections designate early voting sites 30 days prior to an election.
- Early voting is held in the main or branch office of the Supervisor of Elections. Supervisors may also designate any city hall or public library geographically located so that all voters in the county will have an equal opportunity to cast a vote.

# 20 Early Voting Locations



Aventura Government Center  
19200 W Country Club Drive

City of Miami - City Hall  
3500 Pan American Drive

Coral Gables Library  
3443 Segovia Street

Coral Reef Library  
9211 SW 152nd Street

Elections Department (SOE Main Office)  
2700 NW 87th Avenue

Florida City - City Hall  
404 West Palm Drive

John F. Kennedy Library  
190 West 49th Street

Kendall Branch Library  
9101 SW 97th Avenue

Lemon City Library  
430 NE 61st Street

Miami Beach City Hall  
1700 Convention Center Drive

Miami Lakes Public Library  
6699 Windmill Gate Road

Model City Library @ Caleb Center  
2211 NW 54th Street

North Dade Regional Library  
2455 NW 183rd Street

North Miami Public Library  
835 NE 132nd Street

North Shore Branch Library  
7501 Collins Avenue

South Dade Regional Library  
10750 SW 211th Street

Stephen P. Clark Gov't Center  
111 NW 1st Street (Lobby)

West Dade Regional Library  
9445 SW 24th Street

West Flagler Branch Library  
5050 West Flagler Street

West Kendall Regional Library  
10201 Hammocks Boulevard

# Early Voting Equipment

**ELECTION  
READY**



EVID Technology to Check  
Voters In



Ballot on Demand Technology to  
Print Voter's Individual Ballot

# SPCC Early Voting Site

**ELECTION  
READY**



# Executive Order 08-217



- Due to the overwhelming number of voters who turned out statewide,
- Governor Charlie Crist extended Early Voting hours on October 28, 2008, effective immediately
- Required 12 hours of voting during weekdays (as opposed to 8 hours)
- Required a total of 12 hours of voting between the two weekend days (as opposed to 8 hours)

# Equipment Comparisons



	2008	2012
Scanners	124	189
Privacy Booths	622	1168
Check-in stations	107	98
Printers	50	50
Staff	558	529
Turnout	326,170	235,733

# Challenges



- Recruiting Staff
- Type and Size of Facilities
- Power Requirements
- Parking



# Absentee Voting

Miami-Dade County  
Elections Advisory Group  
November 2012

# What is Absentee Voting?



Absentee voting refers to voting on a ballot received by mail or picked up by or for a person who is unable or cannot go to the polls to vote during early voting or Election Day.

- A person does not have to be absent from his or her county of residence or have another reason to vote absentee.
- A request must be made to receive an absentee ballot.
- A request covers all elections through the end of the calendar year for the second ensuing regularly scheduled general election.

2008 General Election	2012 General Election
Mailed 207,667 ballots 4 pages long (front & back)	Mailed 310,311 ballots 10-12 pages long (front & back)

# Absentee Ballot Requests



## Permanent Requests on File

Domestic	151,869
Overseas	5,652
	157,521

## How to Request an AB:

- Phone      Online
- Mail        Fax
- Email

## Legal Requirements

- ✓ All absentee ballot requests must be received no later than 6 days prior to Election Day.
- ✓ Mail overseas ballots no later than 45 days prior to Election Day.
- ✓ Mail domestic ballots between the 35<sup>th</sup> and 28<sup>th</sup> day prior to Election Day.

# Returning an Absentee Ballot



- Per F.S. 101.62, all ballots must be received by 7:00 p.m. on Election Day.
- Returned by USPS mail
- Express mail
- In person
- Via designee (only Monday prior and Tuesday, Election Day)
- Via fax (Overseas only)

# ReliaVote Processes



## Outgoing Process:

All absentee ballots are processed through the ReliaVote automated mail processing system. Once the AB request is received, your ballot will be prepared specifically for you and mailed by US Mail via an automated process.



# ReliaVote Processes



## Incoming-Capturing and Exporting the Voter's Signature

Reliavote scans the signature on the envelopes and exports them to the computer database. Once all of the images have been scanned and exported, the signature verification process begins.

***This process takes anywhere from 2-5 hours depending on the amount of ballots being scanned.***



# Signature Verification



- Per F.S. 101.68, all signatures on each ballot must be compared with the signature on record. Staff makes a determination to accept the ballot or presume it invalid.
- 50 to 100 trained staff conduct signature verification.
- The signature verification process can take anywhere from 1 to 3 hours depending on the amount of ballots
- Staff reviewing ballots completed a signature verification course.



# Signatures Presumed Valid



- A random review of the accepted ballots is conducted by the Absentee Ballot Manager to ensure ballots are correctly accepted. If a ballot is questioned, it will proceed to the presumed invalid process.
- Accepted ballots are securely stored until AB Opening commences, 15 days prior to Election Day per F.S. 101.68.

# Signatures Presumed Invalid



## **Signatures are scrutinized at 3 Levels**

- **1<sup>st</sup> review by Line Staff**
- **2<sup>nd</sup> review by Supervisor**
- **3<sup>rd</sup> review AB Manager**

**Each ballot is physically compared to those ballots shown as presumed invalid on the Voter Focus report. This process, although quite tedious, provides the confidence that we account for all presumed invalid ballots. Those ballots that remain under a presumed invalid code will be prepared for the Canvassing Board review.**

**Canvassing Board will make the final determination on whether a ballot is accepted or rejected.**

**Voters whose absentee ballots were rejected by the Canvassing Board will be notified via a letter after election certification.**

# ReliaVote Processes



## Sorting and Slicing Absentee Ballots

- Once signature verification is completed, the ballots are sorted and sliced in preparation for the Absentee Ballot opening process
- All counties are required to report election results via precincts
- In order to get all ballots to the precinct level, the sorting and slicing process requires two passes through the sorter

***This process takes approximately 4 to 5 hours***

# Securing the Ballots

After the signature verification process is completed, the accepted absentee ballots are stored in a secure area until it is time to open them 15 days prior to the Election.



# Absentee Ballot Opening



- 15 days prior to Election Day
- Staffed with 70 to 90 seasonal employees
- All envelopes are opened
- Ballots are checked for damage
- QA is performed for all secrecy and returned envelopes to ensure no ballots were missed
- All first page ballots were separated to examine for voter write-in's

***This process takes approximately 5 to 6 hours***

# Absentee Ballot Scanning



- After the ballots are opened, they are separated by precinct and read by the central tabulators (M650's)
- After scanning, the votes are uploaded into the election results management system & posted on our website

***This process takes approximately 4 to 5 hours***



# Challenges



- **Length of Ballot**
  - Exceeded the capacity of the **Ballot Coding System**
  - Exceeded the capacity of the **(ReliaVote) Absentee Ballot processing equipment**
- **In Person Voting** – An unprecedented total of 14,000 voters were served in the Elections Main Office compared to 2,475 in the 2008 Election.
- **United States Postal Service** – Complaints from voters not receiving their ballots until 4 or 5 days after mailing, and in some cases, not at all. USPS indicated delays were due to “isolated incidents”. This caused us to send duplicate ballots for mailing.
- **Staffing** – Recruited and confirmed 150 workers for ballot opening – only 60 showed up due to the short term employment and/or the impact on Unemployment Benefits.
- **50,000 ballots Returned on Monday and Tuesday (Election Day)** – An unprecedented volume requiring processing, verifying, sorting, opening and canvassing on the two most busiest days of the election cycle.
- **Calls Volume** – Absentee Ballot calls averaged of 2,000 calls a day leading up to over 7,500 calls on Election Day.



# **Election Day**

**Miami-Dade County  
Elections Advisory Group  
November 2012**

# Polling Place Facilities



- 829 precincts located across 541 polling locations
- Polling Place Usage Agreements 90 days before election
  - 50% are without charge
  - BCC authorization to pay up to \$400 per precinct

## Challenges

- Parking
- Facility availability
- Cooperation of facility owners
- Precinct boundaries

# Polling Place Facilities



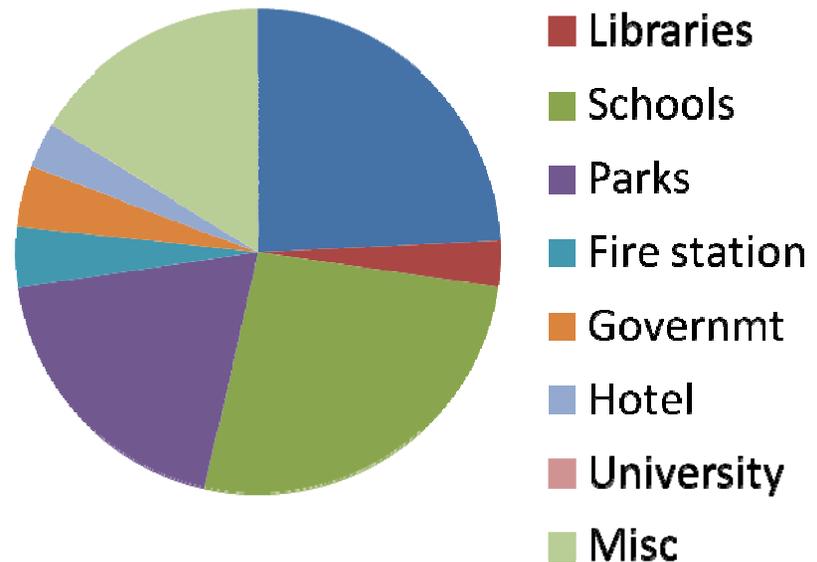
- Criteria for Selection of Polling Places
  - Minimize Change to Voters
  - ADA compliant through permanent or temporary measures
  - Within precinct boundaries when possible
  - Minimize travel time for voters
- Polling Place Changes minimized
  - 11 changes for Nov 6
  - 14 days notice required by law
  - Notice by mail, newspaper, and signage

# Polling Place Facilities

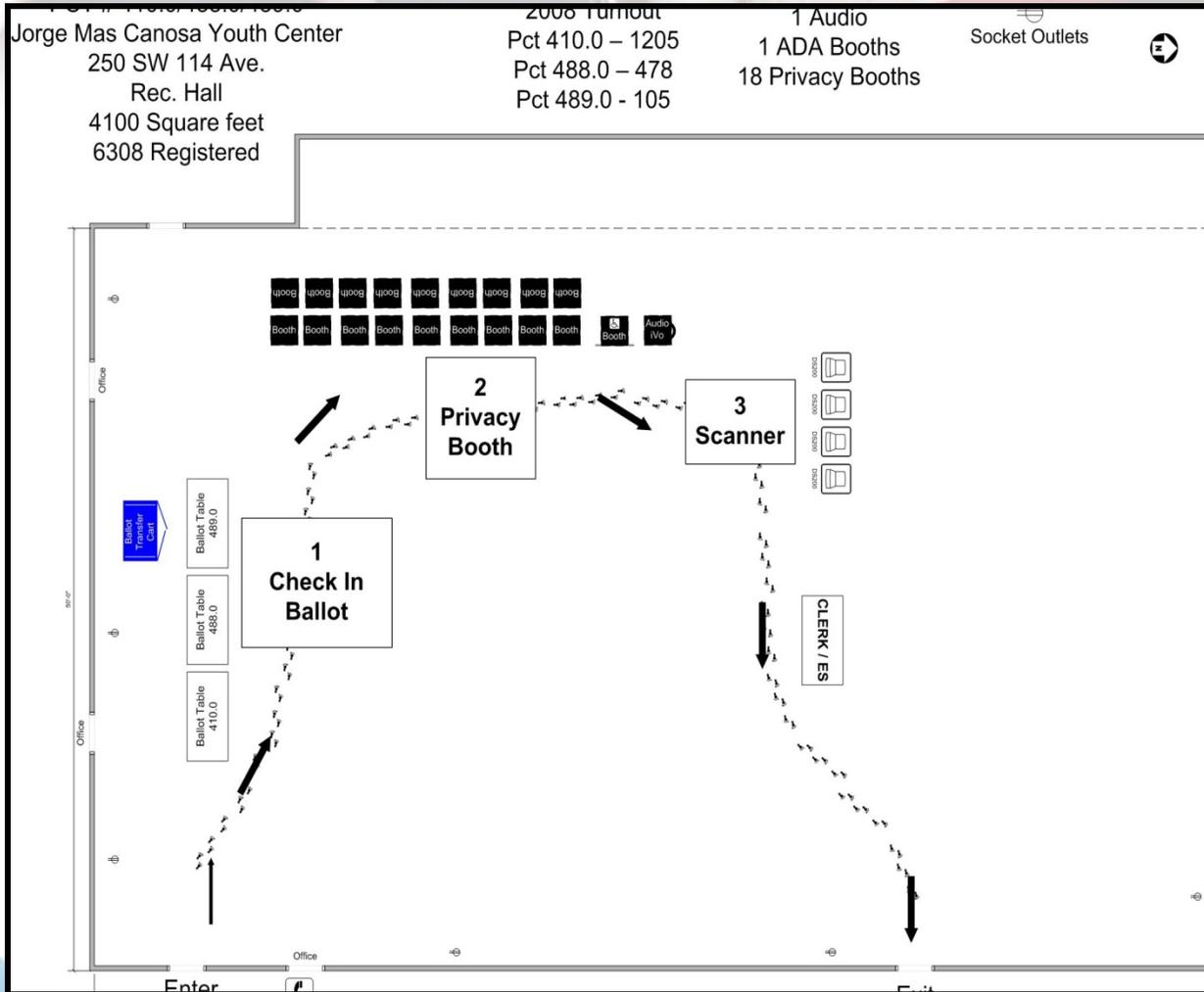


- Schools - 219
- Churches - 201
- Parks - 155
- Government - 33
- Fire Stations - 31
- Libraries - 24
- Hotels/Lodges - 22
- Universities - 4
- Miscellaneous - 135

Percentage based on  
Precincts



# Polling Place Layouts



All polling places have a layout sketch identifying equipment placement, voter ingress/egress, power outlets, square footage, etc.

# Poll Worker Recruitment



- Universities
- Teacher unions
- Municipalities, etc.

## Legal Requirements

- Read and write English
- Registered Miami-Dade voter

## • Challenges

- Dependability
- Some geographic regions, i.e. Coral Gables, Hialeah, Doral
- Lack of transportation or willingness to work out of their area

# Poll Worker Training



- Statute requires all poll workers to be trained prior to each election
- 8,900 poll workers trained at 10 locations
- Legal Requirements
  - Clerks must receive 3 hours of training
  - *We train them 4 hours*
  - Inspectors must receive 2 hours of training
  - *We train them 4 hours*
  - All new poll workers receive 6 hours of training

# Poll Worker Training



- **Quality Assurance:**

- County observers with training qualifications
- Secret shopping by stakeholders
- Trainers completed performance evaluations on poll workers during class
- Hands-on training and testing of all poll workers

- ***96% of poll workers satisfied with training***
- Audit and Management Services observed that poll worker competence was improved in the 2012 General Election as compared to prior years.

# Poll Worker Staffing



Position	Staffing	Job Description
Clerk	1	Responsible for the management of the entire polling place and all voting activities; exercises discretion to determine what activities are disruptive to voters.
Assistant Clerk	1	Assists the Clerk in any capacity.
Election Specialist	1	All County employees. Responsible for optical scan equipment and voter eligibility verification. Transports voted ballots & media.
Poll Deputy	1	Manages the solicitation boundary outside the polling place.
Inspector	5-10	Check-In, Ballot Distribution, Privacy Booths, Optical Scanners. The number of Inspectors varies based on the size of the precinct.

# Poll Worker Assignments



- Based on past performance
- Based on performance in training
- Based on availability
- Based on language capabilities
- On November 6<sup>th</sup>, split precincts had more Inspectors
- Small precincts with under 1000 voters had 5 Inspectors instead of the standard 6

# Equipment Testing & Preparations



- Logic & Accuracy test
  - All ballot styles and ballot positions are tested
  - Exceeds state requirements
- Tested 3 times:
  - Functional test of all equipment
  - L&A – functional and programming tests
  - Tests of media programming on all styles
- Equipment deliveries begin 9 days before Election Day
  - All equipment deliveries are followed by a team of Quality Assurance employees to ensure the right equipment was delivered to the right location
  - QA Teams check battery power, firmware, and serial numbers

# Equipment Comparisons



- We own 1,650 optical scan voting units
- 400 additional units were rented from vendor, ES&S

2008	2012
1,538 Optical Scanners	1,564 Optical Scanners + additional deployment*
5,870 Privacy Booths	5,967 Privacy Booths + additional deployment*

\*The distribution and utilization of additional units will be addressed in the After Action Report

# Ballot Printing



- Primary Printer Internal Services Dept Print Shop
  - 2 backup printers by contract
- 20 full time Elections employees at Print Shop as ballots are being printed
  - All ballot styles are scanned before delivery to ensure proper alignment
  - 6:00 a.m. to 11:00 p.m. for 6 weeks
- Exhaustive QA of every ballot page at Elections warehouse

2008	2012
68 Ballot Styles	105 Ballot Styles
Ballot Pages QA'd <b>1,050,300</b>	Ballot Pages QA'd <b>6,731,978</b>

# Monday Set Up



- All poll workers report to set-up their precincts on Monday
- Clerks ensure they have all equipment and supplies needed for Election Day
- Clerks conduct dry-run in preparation for Election Day
- Machines are opened and tapes are printed to verify that public count is zero
- Sensitive material is secured with seals and recorded

# Election Central



- 230 call takers staff seven (7) Phone Banks on Monday and Tuesday (Election Day)
- Election Central provides administrative and technical support directly to precincts

- \*Technical
- \*Poll Workers
- \*Registration
- \*Dispatch

- \*Administrative
- \*Troubleshooting
- \*Facility

Calls Received in 2008	Calls Received in 2012
UNAVAILABLE	6,542

# Election Day



- Poll workers report at 5:30 a.m.
- Voting hours 7:00 a.m. – 7:00 p.m.
- 61 Administrative Troubleshooters
- 40 Troubleshooters in trucks with equipment and supplies
- Election Specialists (County employees) transport voted ballots and media in sealed containers to 20 Collection Centers around the County

# Turnout Comparisons



Election	Registered Voters	Ballots Cast	Turn-out %		ABs	%	ED	%	EV	%	Total Votes
11/07/00 General	909,456	653,859	72	→	45,692	7	608,167	93	N/a	-	653,859
11/02/04 General	1,058,799	778,953	74	→	101,062	13	433,824	56	244,067	31	778,953
11/04/08 General	1,245,138	872,260	70	→	177,550	20	368,540	42	326,170	37	872,260
11/06/12 General	1,313,850	885,067	67	→	242,251	27	406,089	46	235,727	27	885,067

# Polling Place Closing



- Closing procedures are uniform for all polling places, ranging 45 minutes to 2 hours
- 24 polling places closed after midnight = .04%
- No data exists on when the last voter voted
- 2008 data on closing times unavailable

	Five Locations Closed Last	
1	West Kendall Library	2:08 am
2	Iglesia Cristiana el Buen Samaritan	1:49 am
3	Miami Fire Station #4	1:35 am
4	Country Walk Park	1:31 am
5	Eureka Villas Park	1:27 am

# Tabulation of Election Results



- Election Day votes are uploaded from thumb drives at 20 centrally located Collection Centers, and transmitted by phone line to Elections Headquarters
- 7:15 p.m. absentee ballots to date
- 7:30 p.m. absentee and early voting
- State requirement for uploading every 45 minutes - Miami-Dade uploads every 30 minutes
- Results are displayed on MDTV and Elections website

# Absentee Ballot Reporting



## 2008 State Requirements

- Absentee ballots received prior to Election Night must be reported by 7:45 pm.
- All Election Day absentee ballots were reported at 5:00 p.m. on Wednesday.
- Absentee Votes Cast –
- 162,922
  
- Total ballot pages scanned 325,844

## 2012 State Requirements

- All absentee ballots must be reported on Election Night every 30 minutes until completed.
- All absentee ballots were reported on Thursday at 12:00 noon.
- Absentee Votes Cast –
- 243,953
  
- Total ballot pages scanned 1,219,765

# Post Election Operations



- Equipment pick-up at 541 locations
- Voter reconciliation process scanning precinct registers and validation of voters who voted
- Canvassing of provisional & overseas ballots
- Results certification
- State mandated manual audit

The top banner features a close-up of an American flag with stars and stripes. A black stamp with white text is positioned in the upper right corner of the banner.

**QUESTIONS**

**ELECTION  
READY**

**TOUR**  
**RELIAVOTE**  
**WAREHOUSE**  
**TABULATION ROOM**