

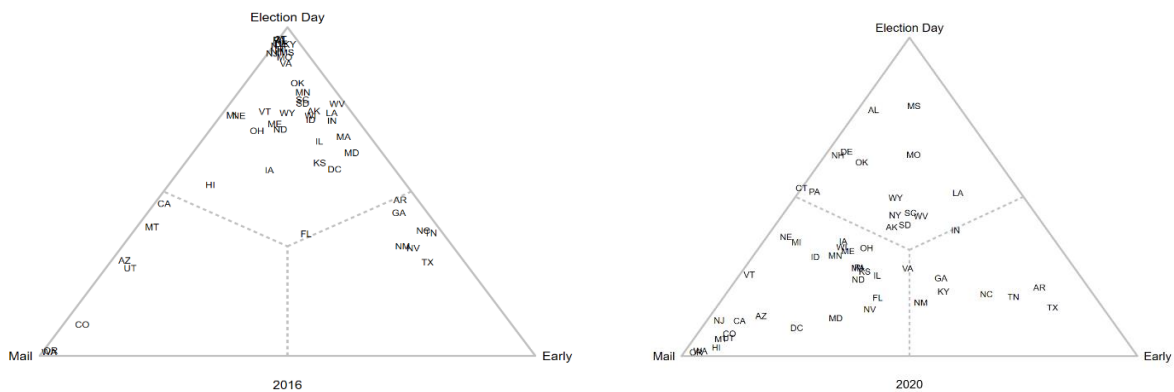
Testimony of David H. Stafford, Supervisor of Elections, Escambia County, Florida

Pennsylvania State Senate
Special Committee on Election Integrity and Reform
Public Hearing
Mail-In Balloting Process of Colorado, Utah, and Florida
March 15, 2020, 10:00 A.M.
Senate Floor – Pennsylvania State Capitol
Harrisburg, PA 17120

Before I begin my remarks, I ask that you indulge me for a moment while I establish my Pennsylvania bona fides. I am the son of two commonwealth natives. My mother, a proud Nittany Lion, was born and raised in Chambersburg, while my father, who holds two degrees from Temple, hails from the other side of the state in Sharon. I have fond memories of my parents loading my brothers and me into our station wagon each summer in Florida for the long trip north to visit family. Perhaps most importantly, I believe that the Comet at Hershey Park is the finest roller coaster of all time.

It is an honor to be with you today to share some perspective on the 2020 elections. I will begin with a brief overview of how Florida elections are structured, followed by the steps we took to respond to the pandemic, and end with what I believe are the most important elements of a robust and secure vote-by-mail program.

For the past two decades, Florida voters have a choice of one of three ways to cast their ballot: early in-person, by mail, or on election day. In the 2018 general election, the distribution of those methods was roughly equal in proportion, as illustrated in the chart below from Dr. Charles Stewart of the Stanford/MIT Healthy Elections Project. In 2020, Florida joined many states in increasing its share of voters who cast their ballot by mail, as depicted below. Of the more than 11 million ballots cast in the 2020 general election, 39% voted early, 44% voted by mail, and only 18% voted on election day.



Early voting in Florida is required in federal and state elections for a minimum of eight consecutive days, up to a maximum of 14 consecutive days, for a minimum of 8 hours to a maximum of 12 hours each day. Early voting is required to be held in the office of the supervisor of elections and may be held at additional locations that meet certain criteria. Within those parameters, supervisors of elections have the discretion to choose the number of days, hours, and locations that best accommodate their voters. Early voters can choose any site in their county, and votes are cast on paper ballots that are tabulated by optical scanners at each early voting site. By law, early voting results must be reported no later than 30 minutes after polls close on election day. On election day, voters who have not already cast a ballot may do so between 7 a.m. and 7 p.m. at their assigned polling location. Like early voting, voters mark paper ballots and tabulate them on optical scanners at each precinct.

No excuse vote-by-mail has been an option for all voters in Florida since 2001. Under current law, voters can make a single request a ballot for all elections through two election cycles. For example, a voter could make a request today for all ballots through the 2024 general election. Requests can be made in writing, electronically, or by phone, and must be received no later than 10 days before the election.

Ballots for military and overseas (UOCAVA) voters are sent no later than 45 prior to election day, and ballots for all other requesters must be sent between the 40th and 33rd day before the election. UOCAVA voters can receive their balloting materials electronically but must return them by mail or hand delivery. However, overseas voters have the option of returning their ballot by fax.

Vote-by-mail ballots must be received in the supervisor of elections office no later than 7 p.m. on election day, with the exception of overseas voters whose ballots can be accepted up to 10 days after election day if postmarked or signed by election day. Voters can return their ballot by mail, or by hand delivery to the supervisor of elections office, an early voting site, or an authorized drop box. Drop boxes were utilized statewide for the first time in 2020.

Each vote-by-mail ballot is verified upon receipt by the supervisor of elections. Signatures on the ballot envelope are compared against the voter signature on file. Missing signatures or mismatched signatures are flagged, and the voter has an opportunity to cure their ballot up to two days after the election. This cure process was brought to the legislature by election officials and was utilized by voters with great success in the 2020 general election. Beginning 60 days before the primary election until 15 days after the general election, we are required to report vote-by-mail activity to the state each day, and that information is made available to candidates, political parties, and political committees.

Once received and verified, vote-by-mail ballots are held until canvassing begins. Under Florida law, vote-by-mail ballots can begin being canvassed as early as 22 days before election day. In the 2020 primary and general elections, it was expanded to up to 25 days by executive order. This pre-election day processing was first authorized in Florida in 2001 at four days prior to election day. Results may not be released until after the polls close, subject to a third-degree felony. Like early voting, the results of any vote-by-mail ballots that have been tabulated must be released no later than 30 minutes after polls close. As a result, in the 2020 general election the results of more than 75% of the total votes cast were published by 7:30 on election night.

A year ago this week, my Florida colleagues and I were struggling with holding an election in the midst of the initial global response to the emerging pandemic. Ohio had just postponed its presidential primary which coincided with ours, and many were wondering whether Florida would follow suit. Election

officials were scrambling for supplies like hand sanitizer, sanitary wipes, and masks, while replacing lost polling places and poll workers. To borrow a phrase, we were flying the plane while building it. It was a struggle, but we were able to provide voters with the opportunity participate in the presidential primary process. We learned a lot from that experience and the states who held elections after us and made significant adjustments in preparation for our August primary and November general elections.

However, one step we took pre-dated the pandemic. We made the decision in late 2019 to send vote-by-mail request forms to all voters for whom we did not already have an active request. This resulted in an increase in the number of requests but was only a portion of the increase that came after the pandemic hit. Candidates, political parties, and other groups also heavily promoted vote-by-mail in the months leading up to the general election.

Following the outbreak of COVID-19, we also made the decision to pay return postage for vote-by-mail ballots. This was a recognition that voters who would otherwise choose to vote in person may not feel safe in doing so and voting my mail was their only other option. We used CARES Act dollars to help defray this unbudgeted added expense.

Recognizing that we would see unprecedented volume of vote-by-mail balloting, we invested in new equipment to aid in ballot processing. We purchased a new machine to automate the extraction of ballots from their envelopes, which increased throughput. We also reconfigured our physical space and added personnel to accommodate the increased volume. All the while, we had to ensure that we were following CDC guidelines for our staff and volunteers, as well as the public who were there to observe.

We also faced some additional challenges unrelated to COVID-19. For the first time ever, we had to print ballots and most materials in both English and Spanish. This resulted in a two-card ballot which significantly increases the complexity of all aspects of an election. We also were hit with two hurricanes which impacted our operations in addition to some polling places and poll workers.

In closing, I offer some general thoughts on what I believe are the most important design aspects of administering a vote-by-mail operation:

- Proper planning (supplies, equipment, people, space) is critical
- Spend time and effort on the design of materials (envelopes, instructions, etc.)
- Allow pre-election day processing of mail ballots to reduce post-election volume
- Drop boxes are popular with voters
- Build transparency into all aspects of vote-by-mail operations
- Tracking of ballots is a benefit to both election officials and voters
- Offer voters the opportunity to cure signature deficiencies
- Ensure the process is secure and auditable from beginning to end

Thank you again for the opportunity to offer testimony today. I wish you all the best in your efforts.