



**Florida Supervisors of Elections**

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**2020  
ACCESSIBLE  
VOTE-BY-MAIL  
PILOT PROGRAM  
AND  
TASK FORCE  
REPORT**

Moderated by Brian Corley-SOE Pasco County

Panelists: Bill Cowles-SOE Orange County

Lisa Lewis-SOE Volusia County

Marc Gillette-Chief Deputy Pinellas County



# Florida Supervisors of Elections

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- Overview (How we got here?)
- Pilot Counties Project
- Task Force
- Where do we go from here?
- Questions

# Overview/How we got here?

- *The year was 2002.....101.662 Florida Statute.....Accessibility of absentee ballots. —It is the intent of the Legislature that voting by absentee ballot be by methods that are fully accessible to all voters, including voters having a disability. The Department of State shall work with the supervisors of elections and the disability community to develop and implement procedures and technologies, as possible, which will include procedures for providing absentee ballots, upon request, in alternative formats that will allow all voters to cast a secret, independent, and verifiable absentee ballot without the assistance of another person.*
- Lawsuit
- Settlement agreement

# Pilot Program:

- Orange, Nassau, Volusia, Miami-Dade & Pinellas counties volunteered to take part.
- The “Settlement Agreement” directed the five Pilot Counties to use Democracy Live’s OmniBallot System, (Provides a means for blind voters to mark secret, independent and verifiable Vote-by-Mail ballots without the assistance of another person. The Florida Department of State, on July 14, 2020, approved, on an interim basis, Democracy Live’s OmniBallot System. (The interim approval is in effect until March 31, 2022)
- Used for the 2020 Primary and 2020 General Elections
- Challenges
- Logistics
- Outreach
- Results
- Voter Feedback
- Recommendations

# Accessible Vote-By-Mail Taskforce:

- The “Settlement Agreement” mandated an establishment of a Taskforce with an objective to identify method(s) to provide a means for blind voters to mark secret, independent and verifiable Vote-by-Mail ballots without the assistance of another person with a report submission of its findings no later than September 30, 2021. Note: The Final Report was submitted to Secretary Lee and President Latimer on June 8, 2021.
- Task Force composition included.....
  - Supervisors of Elections (consideration given to geographical diversity and to the representation of small, medium, and large counties)
  - Florida Department of State representative with relevant technical expertise) (e.g., Chief, Bureau of Voting Systems)
  - Disability community representatives (e.g., Florida Council of the Blind, National Federation of the Blind, Disability Rights Florida, Florida Association of Centers for Independent Living, National Disability Rights Network, etc.)

# Accessible Vote-By-Mail Taskforce:

- *The settlement agreement mandated we were required to adopt a report of our findings (no later than September 30, 2021), which MAY include recommendations. The task force was to evaluate, at a minimum, the*
- **Cost / Feasibility / Administrability / Security / Effectiveness** of possible methods of allowing registered voters in Florida who are blind to mark secret, independent, and verifiable vote-by-mail ballots without the assistance of another person, including Accessible Vote-By-Mail Systems that might be developed independently of private vendor. It was relayed that any recommendations should address laws, rules, and/or procedures that would allow for or need to be modified to facilitate Accessible Vote-By-Mail Systems in each county by the settlement term date of March 1, 2022.
- The Task Force decided to present only one formal recommendation. That being the Florida Division of Elections to expedite rule making to comply with the implementation of an accessible voting system in accordance with the settlement agreement.
- Aside from that-, the task force decided in lieu of submitting formal recommendations, to present options for consideration.
- Addendum documents

# Meeting(s) Recap:

- 4 in total
- Vigorous and candid Discussions / many ideas floated / vendor presentations by:
  - Democracy Live (Bryan Finney)
  - Voting Works (Steve Trout)
  - Vastec (Richard Salem)
  - Text2Vote (Lee Durham)
- Dr. Gilbert with the University of Florida spoke to the Task Force on the merits and concerns of electronic return of ballots

# Task Force Recommendations:

- SOS/DOE should expedite rule-making to comply with the deadline as outlined in the settlement agreement.
- The Secretary of State or her designee should coordinate procuring a vendor for cost efficiencies and uniformity.
- (Note: Letter from DOE Assistant General Counsel re: “regulatory authority”)



# Options/Items to Consider

- The required determination of the necessity of certification and/or approval by the Division for any vendor. As well as the SOS/DOE to coordinate vendor negotiation vs. individual counties
- Which vendors are able to provide a product to comply with the settlement?
- Should we handle these applicable voters similar to how we do so with UOCAVA voters? (e.g., self-selecting for voters with disabilities as is done for UOCAVA voters), with an affirmation via a check that the voter is eligible.
- Should the deadline for an eligible voter should be the same as the request for VBM (e.g., 10 days < Election Day)
- Delivery & return of the ballot...Return of the ballot: Electronic return (Note: There was not consensus on the electronic return of the voted ballot due to security concerns and how to verify the signature of the voter), fax, delivery, or USPS (e.g., convenience versus security). If returned via not electronic, maybe the printing of a barcode on the paper ballot printed at home or on a faxed ballot, that would allow for automatic printing of a tabulation paper ballot that could be compared with the original to verify the votes are marked correctly. Also, an option is to utilize a “circle sticker” with a raised dot on the signature line.
- Issue of voter privacy of returned ballots via fax (similar to UOCAVA ballots)
- Importance of voter education for applicable voters on the system that is ultimately implemented: e.g., any resulting accessible VMB product that is used by counties needs to be promoted and publicized including a website for trial and error

# Where do we go from here?

- March 2022 deadline
- Collective or individual?
- DOS and/or FSE?
- Funding (potential \$ from voting systems - DOE?)
- Budgetary Impact?
- Stay tuned....



- Questions?