



Ballot Canvassing & Election Reporting

Jennifer J. Edwards, Collier County Supervisor of Elections

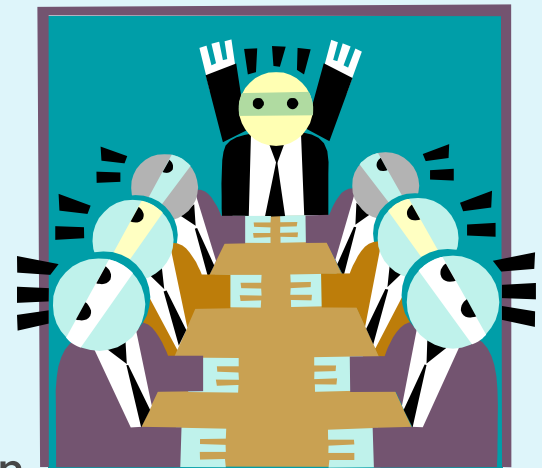
Canvassing Board Members and Responsibilities

▶ Determine Canvassing Board members:

- ▶ County Judge, Chair (and an alternate)
- ▶ Supervisor of Elections
- ▶ County Commissioner (and an alternate)

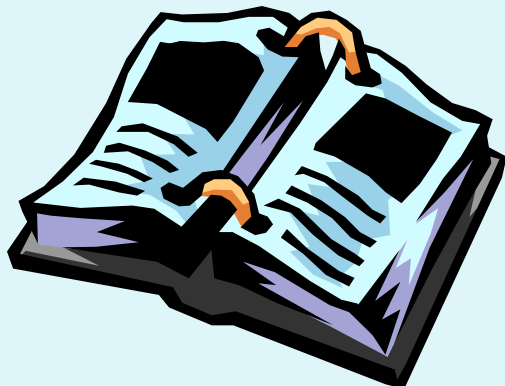
▶ Responsibilities Include:

- ▶ Testing tabulation equipment,
- ▶ **Canvassing ballots**,
- ▶ Certifying election results/Conduct of Election,
- ▶ Conducting recounts,
- ▶ Conducting post-election audit,
- ▶ Contest of Election – indispensable party defendant in a contest - s. 102.168.



Canvassing Board Schedule and Meeting Location

- ▶ Determine meeting schedule and location.
- ▶ Publish in newspaper at least 48 hours in advance



Collier County Canvassing Board Calendar

2014 Primary Election

August 26, 2014

August 5, 2014	(Tuesday)	10:00 a.m.	Logic and Accuracy Test
August 12, 2014	(Tuesday)	10:00 a.m.	First Review of Absentee Ballots and Authorize Processing and Tabulation
August 25, 2014	(Monday)	10:00 a.m.	Review of Absentee Ballots
August 26, 2014	(Tuesday)	6:00 p.m.	Review of Absentee Ballots and Preliminary Returns
August 28, 2014	(Thursday)	5:05 p.m.	Review of Provisional Ballots and 1 st Unofficial Results
September 2, 2014	(Tuesday)	3:00 p.m.	Official Certification, Conduct of Election Report and Selection of Precinct and Race for the Manual Audit
September 9, 2014	(Tuesday)	10:00 a.m.	Manual Audit of the Election

Criteria for Canvassing Absentee Ballots

- ▶ At the first meeting or at an orientation meeting, the Canvassing Board (CB) adopts a set of criteria for canvassing absentee ballots.
- ▶ Supervisor of Elections staff pre-sorts the absentee ballots in categories based on the criteria adopted and presents at CB meetings.

Criteria Codes Canvassing Board Primary Election 2014		
ABSENTEE BALLOTS		
Signatures and Other		
P 1	No voter signature	Reject
P 2	Voter signature is questionable to Signature of Record	Case by Case
P 3	More than one voter signature on Ballot Return Envelope	Case by Case
P 4	Signed by person claiming Power of Attorney	Reject
P 5	Ballot returned without official Voter's Certificate	Case by Case
P 6	Ballot returned by fax/email	Case by Case
P 10	Other - Signature	Case by Case
Eligibility and Other		
P 11	Voter not registered in Florida	Reject
P 12	Voter is registered in another Florida county	Reject
P 13	Voter Collier address changed before ballot cast	Case by Case
P 14	Voter died before ballot cast	Reject
P 15	MARG Voter - No ID	Case by Case
P 16	Voter party changed before ballot cast	Case by Case
P 19	Other - Eligibility	Case by Case

Canvassing Board Criteria Codes: Collier County Example

2014 Primary Election Canvassing Board Criteria Codes			
Signatures and Other			
P1	No voter signature. See note →	Reject	§ 101.68(2)(c)1: An absentee ballot shall be considered illegal if it does not include the signature of the elector, as shown by the registration records. The Collier County Canvassing Board has opted over numerous election cycles not to review true blanks. However, they must be kept secure and segregated for possible inspection.
P2	Voter's signature is questionable.	Case by case	§ 101.68(2)(c)1: An absentee ballot shall be considered illegal if it does not include the signature of the elector, as shown by the registration records.
	Voter signed with a "X." Staff has had authority to process accepts.	Case by case	DE 90-09, which is partially obsolete because the law formerly required witnesses, suggests that if all of the other criteria for accepting a ballot are met and "X" is the official signature, then the CB: (1) is not required to invalidate the ballot; (2) should review on a case-by-case basis; and (3) should use the 3-prong test found in <i>Boardman</i> . <i>Boardman</i> : (1) the presence or absence of fraud, gross negligence, or intentional wrongdoing; (2) whether there has been substantial compliance with the essential requirements of the law; and (3) whether the irregularities adversely affect the sanctity of the ballot and the integrity of the election.

Absentee Ballot Processing – Section 101.68(2)(a), FS

- ▶ May begin at 7:00 a.m. on the 15th day before Election Day.
 - ▶ Includes both opening and tabulating.
- ▶ No results are released until after polls close on Election Day (third degree felony).



Now You Are Ready to Canvass Ballots!

Canvassing Includes:

- ▶ Canvassing Absentee Ballots,
- ▶ Canvassing Special Absentee Ballots,
- ▶ Canvassing State Write-In Absentee Ballots,
- ▶ Canvassing Ballots for Early Voting,
- ▶ Canvassing Returns from the Polls,
- ▶ Canvassing Write-In Votes,
- ▶ Canvassing Provisional Ballots,
- ▶ Canvassing Ballots from UOCAVA Voters:
 - ▶ Canvassing Ballots for Overseas Voters
 - ▶ Canvassing Ballots for ABSENT Stateside Uniformed Services Voters
 - ▶ Canvassing Ballots for Overseas Voters for Federal Office Ten Days After Election Day
 - ▶ Canvassing Federal Write-In Absentee Ballots (FWAB)

Canvassing Absentee Ballots - Sections 101.68, 102.141, FS.

- ▶ Account for all ballots to be canvassed.
- ▶ Compare the signatures on the ballots.
- ▶ No signature? Until 5 p.m. on the day before an election, the supervisor shall allow an elector who has returned an absentee ballot that does not include the elector's signature to complete and submit an affidavit in order to cure the unsigned absentee ballot.
- ▶ Determine the legality of the ballot.
 - ▶ NOTE: Any signature update must be received before the start of canvassing – which could be as early as 15 days before Election Day - S. 97.1030(2), 101.045, FS.

Canvassing Special Absentee Ballots for Certain First Time Voters – Section 101.6925, 101.6921, FS.

- ▶ Voters who registered to vote by mail and are first time voters in the state,
- ▶ Who have never been issued a Florida driver license or Florida identification card, or a social security number,
- ▶ Are required to provide a copy of a valid identification (ID) as outlined in s.97.0535, FS, with their registration or sometime before they vote.
- ▶ If valid ID has not been received by time requested, ballot is mailed and then,
 - ▶ Voter must include ID in separate envelope and additional instructions are included.
 - ▶ If voter complies, ballot is processed with regular ballots;
 - ▶ If not, ballot is treated as a Provisional until 7:00 p.m. Election Day and shall not be canvassed unless the voter complies with ID requirement (s.101.6925(3), FS.).

Canvassing the Ballots for Early Voting

– s.101.657, FS.

- ▶ 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 8 hours and no more than 12 hours per day at each site during the applicable period.
- ▶ In addition, early voting may be offered at the discretion of the supervisor of elections on the 15th, 14th, 13th, 12th, 11th, or 2nd day before an election that contains state or federal races for at least 8 hours per day, but not more than 12 hours per day.
- ▶ The canvass of returns for ballots cast under this section shall be substantially the same as votes cast by electors in precincts as provided in s.101.5614, FS.



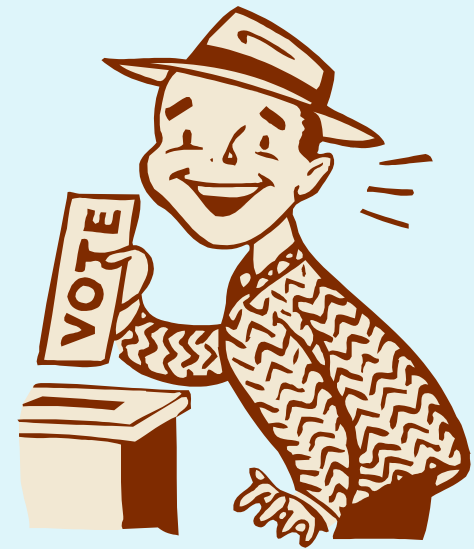
Canvassing Write-In Votes – Rule 1S-2.0031, FAC, s. 101.5614(4), FS.

- ▶ A hand-written name of a candidate:
 - ▶ From precincts on Election Day, Early Voting, Absentee and Provisionals.
 - ▶ Eligible write-in votes are tabulated.
 - ▶ General Election Only



Canvassing State Write-In Ballots - Section 101.6951, FS and Rule 1S-2.028 FAC

- ▶ Requested by overseas voter no earlier than 180 days before election.
- ▶ Available 90-180 days before election.
- ▶ Ballot contains all races for which voter may be eligible.



Canvassing the Returns From the Polls

- ▶ The meeting must be publicly noticed and must be held in a building accessible to the public.
- ▶ The results of the ballots tabulated at the precincts may be transmitted to the main computer systems for the purpose of compilation of complete returns.
- ▶ All returns from the precincts must be submitted to the board on or before 2 a.m. of the day following any Primary, General, or other election. s. 102.141(3), FS.



Canvassing the Provisional Ballots

- ▶ All provisional ballots from the polls shall remain sealed in their envelopes for return to the Supervisor of Elections Office.
- ▶ A person casting a provisional ballot shall have the right to present written evidence supporting his or her eligibility to vote to the Supervisor of Elections by no later than 5 p.m. on the second day following the election.

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- ▶ The canvassing board shall examine each provisional ballot envelope to determine if,
 - ▶ The person voting that ballot was entitled to vote in the precinct where the person cast the ballot, and
 - ▶ That the person had not already cast a ballot in the election.
 - ▶ If it is determined that the person was entitled to vote in the precinct,
 - ▶ The canvassing board shall compare the signature on the provisional ballot envelope to that on the voter's registration, and
 - ▶ If it matches, count the ballot.



- ▶ If it is determined that the voter was not registered or eligible to vote in the precinct,
 - ▶ The provisional ballot shall remain unopened, and
 - ▶ Will be marked “Rejected as Illegal.”

Canvassing the Ballots from UOCAVA Voters

- ▶ UOCAVA: Uniformed and Overseas Citizens Absentee Voting Act
- ▶ Canvassing UOCAVA Ballots for Overseas Voters
- ▶ Canvassing UOCAVA Ballots for ABSENT Stateside Uniformed Services Voters
- ▶ Canvassing the Ballot for Overseas Voters for Federal Office Ten Days After the Election (10-Day Rule) - Rule 1S-2.013(7), FAC
- ▶ Canvassing the Federal Write-In Absentee Ballot (FWAB) – s.101.6952, FS



Canvassing the UOCAVA Ballot for Overseas Voters - Rule 1S-2.030, FAC

- ▶ **When requested, the Supervisor of Elections shall:**
 - ▶ Verify that the voter is an eligible voter.
 - ▶ Provide ballot in manner requested by voter.

- ▶ **When returned:**
 - ▶ Overseas voters may return ballot and signed certificate:
 - ▶ Fax
 - ▶ Mail
 - ▶ In person
 - ▶ Overseas voters may not return ballot by email.

▶ **The Supervisor of Elections shall:**

- ▶ Record date returned and means.
- ▶ If ballot is returned in envelope different than one provided by SOE, Canvassing Board is authorized to open the mailing envelope to determine if Voter's Certificate is enclosed in envelope;
 - ▶ If not enclosed, secrecy envelope containing ballot is marked "rejected" and not opened.
 - ▶ If Voter's Certificate is enclosed, voters eligibility is verified by SOE and ballot is processed as regular absentee ballot.
- ▶ If ballot returned by fax, the SOE encloses ballot in an envelope and seals it to preserve secrecy. The Voter's Certificate shall be attached to the envelope. Once the Canvassing Board and/or SOE compares voter signature and determines voter is eligible to vote, the ballot is duplicated and then tabulated.

Canvassing the UOCAVA Ballot for ABSENT Stateside Uniformed Services Voters -Rule 1S-2.049, FAC (Pending merge with 1S-2.030)

- ▶ **When requested, the Supervisor of Elections shall:**
 - ▶ Verify that the voter is an eligible voter.
 - ▶ Provide appropriate ballot in manner requested by voter.
 - ▶ Along with instructions for voting and returning ballot, as well as the voters certificate.
- ▶ **When returned:**
 - ▶ Absent stateside voters may return ballot and signed certificate:
 - ▶ Mail
 - ▶ In person OR
 - ▶ Through someone else on behalf of the voter



- ▶ Stateside UOCAVA voters **may not** return ballot by fax or e-mail.
- ▶ If returned in envelope other than one provided by SOE, the Canvassing Board is authorized to open the mailing envelope to determine if Voter's Certificate is enclosed. If not, do not open ballot and mark envelope as rejected.
- ▶ If procedures followed and ballot is eligible, process ballot as other absentee ballots.

Canvassing the Ballot for Overseas Voters for Federal Office Ten Days After the Election - Section 101.6952, FS and Rule 1S-2.013, FAC

- ▶ **By an overseas elector;**
- ▶ **Postmarked or signed and dated no later than date of Federal Election;**
- ▶ **Shall be counted if received no later than 10 days from the date of the Federal Election.**

Canvassing the Federal Write-In Absentee Ballot (FWAB)- Section 101.6952, FS

- ▶ An absent uniformed services voter or an overseas voter who makes timely application but does not receive an official absentee ballot may use a Federal Write-in Absentee Ballot (FWAB) to vote in a Federal Election and any state or local election involving two or more candidates.
- ▶ If voter submits FWAB and later receives an official absentee ballot, voter may submit the official absentee ballot.
- ▶ A FWAB may not be canvassed until 7 p.m. Election Day.
- ▶ If official absentee ballot is received by 7 p.m. Election Day, the FWAB is invalid and the official absentee ballot shall be canvassed.

Canvassing Returns - Section 102.141, FS

▶ Early Upload of Election Returns

- ▶ The SOE shall upload into the county's election management system by 7 p.m. on the day before the election the results of all early voting and absentee ballots that have been canvassed and tabulated by the end of the early voting period – the tabulation of votes cast or the results of such uploads may not be made public before the close of the polls on Election Day.



▶ Election Night Reporting

- ▶ The Canvassing Board shall report all early voting and all tabulated absentee results to the Department of State (DOS) within 30 minutes after the polls close.
- ▶ Thereafter, the Canvassing Board shall report, with the exception of provisional ballot results, updated precinct election results to the DOS at least every 45 minutes until all results are completely reported.
- ▶ The Supervisor of Elections shall notify the DOS immediately of any circumstances that do not permit periodic updates as required.
- ▶ Results shall be submitted in a format prescribed by the DOS.

Reports to the DOE Timeline

- ▶ Preliminary election returns: must be filed with the Department of State beginning within 30 minutes after polls close and in 45 minute increments thereafter until all results (excluding provisional ballots) are completely reported.
- ▶ 1st Unofficial Results: No later than noon on the 3rd day after the Primary and the 4th day after the General.
- ▶ 2nd Unofficial Results: No later than 3 p.m. on the 5th day after the Primary and the 9th day after the General.
- ▶ Official Results: No later than 5 p.m. on the 7th day after the Primary and no later than noon on the 12th day after the General.
- ▶ Conduct of Election Report: Due at the same time the Official results are certified.
- ▶ Manual Audit: No later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board.



Now that you have Canvassed ALL of the Ballots . . .

- ▶ When canvassing the results from the polls, early voting, and provisional ballots, the tabulation report will reflect all categories tabulated.
- ▶ Example from Collier County below/ES&S Voting System.

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PREC REPORT-GROUP DETAIL                                COLLIER COUNTY, FL                                OFFICIAL RESULTS
                                                         2012 GENERAL ELECTION
                                                         NOVEMBER 6, 2012

RUN DATE:11/16/12 06:13 PM

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                TOTAL VOTES  %      ED-DS200  ED-IVO  ABSENTEE  EV-DS200  P-PROV-1  ED-200-2
REGISTERED VOTERS - TOTAL . . . . . 3,748
BALLOTS CAST - TOTAL. . . . . 3,129          903          0          1,088          1,134          4          0
VOTER TURNOUT - TOTAL . . . . . 83.48

PRESIDENT AND VICE PRESIDENT
Vote for 1
Mitt Romney (REP). . . . . 1,927  62.02          551          0          688          687          1          0
Barack Obama (DEM) . . . . . 1,159  37.30          335          0          383          438          3          0
Thomas Robert Stevens (GRN) . . . . . 1          0.27          1          0          0          0          0          0
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Questions?

