

Testimony of Brian Corley, MPA

Supervisor of Elections, Pasco County, Florida

Pennsylvania State Senate

State Government Committee

February 15, 2022, 1:00 P.M.

Pennsylvania State Capitol

It is an honor to be with you today to share some perspective on Florida’s election model. I’d like to begin with a brief overview of how Florida elections are structured with a focus on how we balance the three-legged stool of voter turnout—Election Day, In-Person Early Voting and Vote-By-Mail (aka Absentee Voting)—followed by voter verification and list maintenance best practices.

Florida’s Supervisors of Elections, much like our counterparts in Pennsylvania and nationwide, are comprised of consummate professionals with different genders, races, and political affiliations who are focused on serving voters and running stellar elections. We are professionally non-partisan and politically agnostic. In my opinion, it’s inappropriate when “politics” in essence hijacks election administration. Voters are the most important stakeholder in elections administration and expect and deserve better.

Learning from the 2000 General Election

It’s no secret that Florida had been dubbed a “laughingstock” stemming from the 2000 election. While some of the criticism was warranted, it did motivate Florida’s election administrators to work with the legislature to amend laws to vastly improve upon the processes and procedures that comprise administering elections in the nation’s third largest state.

For the past two decades, Florida voters have had a choice of one of three ways to cast their ballot: early in-person, by mail, or on election day. In the 2016 general election, the distribution of those methods was roughly equal in proportion. In 2020, Florida joined many states in increasing its share of voters who cast their ballot by mail, which is mainly attributable to the pandemic. Of the more than 11 million ballots cast in Florida’s 2020 general election, 39% voted early, 44% voted by mail, and 18% voted on election day.

While there has been a sizeable shift away from election day voting at the neighborhood polling place, we have many older voters in Florida who still prefer in-person election day voting. That’s not a problem. In fact, Florida’s myriad of options to cast a ballot assists with not having to add additional precincts because although a precinct may have a higher number of registered voters, we know a percentage of those voters will choose mail or in-person early voting.

Early Voting

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 eight hours and up 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. Florida’s Supervisors of Elections lobbied for flexibility with early

voting duration and locations with a “one size doesn’t fit all” approach. 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.

Mail Voting

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 to vote by mail for all elections through the next general election. For example, a voter could make a request today for all ballots through the 2022 general election. Requests can be made in writing, electronically, or by phone and include their Driver’s License state ID card number, or the last four digits of their social security number. The request must be received no later than 10 days before the election. Vote-by-mail ballots are not forwardable; if a voter wants it sent to an alternate address, that request must be made in writing. Many offices offer an ability for voters to track their mail ballots like an Amazon package, providing peace of mind to know when the elections office has received their ballot.

Ballot Delivery Methods and UOCAVA Voters

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 no later than 7pm on Election Day or by mail no after than 10 days after Election Day.

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 election office, an early voting site, or an authorized drop box. Drop boxes were utilized statewide for the first time in 2020.

Signature Verification

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 for 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. Each county canvassing board is comprised of a County Judge, a County Commissioner, and the Supervisor of Elections and each receives training in signature verification coordinated by the Florida Secretary of State’s office. 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 only to candidates, political parties, and political committees.

Results Reporting

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 the completion of the statutorily

required public test of our voting equipment. 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 PM on election night.

Mail Voting Best Practices

Based on my experience as Supervisor of Elections for Pasco County, I have outlined some general thoughts on what I believe are the most important design aspects of administering a successful 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 and a secure method of ballot return
- 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

List Maintenance

With regards to list maintenance best practices, Florida, along with our counterparts in other states, dutifully follow federal and state law. Along with state law, the National Voter Registration Act of 1993 (NVRA) and the Help America Vote Act of 2002 (HAVA) provide clear and unambiguous directives for election administrators to follow.

While the above referenced statutes are required, there is a program that both Florida and Pennsylvania have joined and, in doing so, are ensuring access to voter registration and shoring up the integrity and accuracy of our voter rolls. That program being the Electronic Registration Information Center, or ERIC. This non-profit membership comprised of 31 states has proven successful in cleaning up the voter rolls while reaching out to millions who are eligible but unregistered (EBU).

To highlight ERIC's impact in Florida, consider this. Since Florida officially started sharing data with ERIC in September of 2020, ERIC has helped Florida identify:

- Over 14,000 dead people still on FL's voter lists.
- Over 3.1 million Floridians who had moved within the state to another address.
- Over 700,000 registered voters in FL who had moved to another state, who could then be flagged for removal.

In closing, it is my belief that a "one size does not fit all" approach to local election administration allows us to be successful in providing a responsive, transparent, and professional approach to conducting elections that inspires trust and confidence in the accuracy and efficiency of our elections.

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