



FL DEMS

Canvassing Board Training

November 2021

Glossary of Key Terms

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- **Canvassing** - The process of inspecting, validating, and counting ballots
- **Cure a Ballot** - Provide written evidence of eligibility to vote
- **Privileged Parties** - A candidate, political party official, political committee official, or their authorized designees
- **DOE** - State of Florida Department of Elections
- **LBJ*** - Lawyers Bound for Justice (DNC reporting system)
- **SOE** - Supervisor of Elections
- **VBM** - Vote by Mail

*A separate training will be conducted on the LBJ reporting tool

Canvassing Board Training Topics

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- Canvassing Board Overview
- Canvassing Board Activities
- Observing at Canvassing Board Meetings
- Appendix: Special Circumstances

Canvassing Board Overview

What is the Purpose of the Canvassing Board?

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The Canvassing Board (CB) in each county oversees the conduct of elections.

Duties and activities of the CB are prescribed by statute and are carried out in meetings which are open to the public.

CB Members

The CB has 3 members:

- The Supervisor of Elections (SOE)
- A County Judge (who acts as Chair)
- A County Commissioner

Note: The names of each CB member must be posted on the SOE website.



CB Membership

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- **Alternates:** There are two alternate CB members who may substitute for any CB member as needed. Those people must be another county commissioner or county judge.
- **Disqualification:** CB members of the election being canvassed may not be:
 - A candidate on the ballot who has an opponent
 - An active participant in one of the campaigns

CB Activities

The CB oversees:

- Logic and Accuracy Testing
- Canvassing of Vote-by-Mail (VBM) ballots
- Canvassing of Provisional ballots
- Recounts
- Post-election Audits

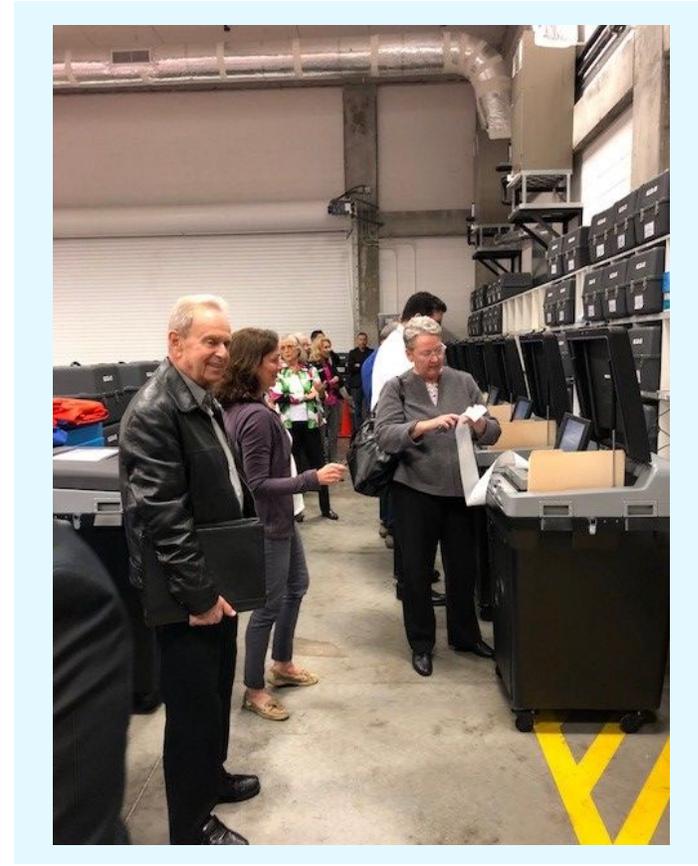
Note: Meetings in which the above activities take place are open to the public. Meetings are subject to public notice; generally 48 hours in advance of the meeting.

Canvassing Board Activities

Logic and Accuracy Test

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Background: The logic and accuracy test is conducted before any ballot is canvassed to ensure that the election equipment is working properly.



Logic and Accuracy Test

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CB Activities:

- The time and place of the testing must be posted on the SOE website at least 48 hours in advance.
- At least 5%, but no fewer than 10 machines must be tested.
- Machines are to be selected randomly and ADA equipment must be included in the tests.
- Expected results should be made available prior to the test for comparison to actual results.
- Tests are to include a sample for each candidate, office, and ballot measure. The sample must include a test of overvotes.
- Any error must be fully explained; if necessary, additional testing is completed to ensure proper functioning of the machines.
- The CB must complete a certification before VBMs are canvassed.

Canvassing of VBM Ballots

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Background:

- VBM canvassing is the process by which signatures on the VBM ballot envelopes are compared to signatures on file with the SOE.
- Initial canvassing is typically completed by the SOE staff using specialized equipment. During this work, the ballots are separated into 3 categories; those with signatures that match the signatures on file, those that the staff believes do not match the signature on file, and those with no signature. The CB may perform this function itself.

Canvassing of VBM Ballots (cont.)

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CB Activities:

- Canvassing of VBM ballots may begin on completion of the logic and accuracy tests, but must begin no later than noon on the day following the election. No results are to be released until the close of polls on election day.
- VBM envelopes with signatures flagged as a signature mismatch will be sent to the CB for evaluation.
- ***There is a presumption that the signature is valid, unless a majority of the CB deems there to be a mismatch beyond a reasonable doubt.***
- The SOE must attempt to notify voters who submitted ballot envelopes with no signature or a signature mismatch so the voter has the opportunity to cure the defect. Voters may submit a Vote-by-Mail Ballot Cure Affidavit to cure the ballot no later than 5pm two days after the election.

Canvassing of VBM Ballots (cont.)

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CB Activities (cont.)

- Ballots should not be removed from their sealed envelope unless and until a signature match is made by the SOE staff or CB.
- SOE staff or the CB staff should have no knowledge of the voter's party affiliation.
- CB members are required to have undergone signature training as prescribed by the Secretary of State.
- Members of the public may observe the CB as they review ballots with suspected signature mismatches.
- Refer to the appendix for information regarding challenges during initial signature match and the duplication of damaged, overvoted or undervoted VBM ballots.

Canvassing of Provisional Ballots

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Background:

- Provisional ballots are used when a voter at a polling place is denied a regular ballot due to a question about the voter's eligibility. Some examples include when a voter is unable to provide acceptable identification, if there is a challenge of a voter's eligibility, or if a voter is at the wrong polling location.
- Voters will be provided with a Certificate and Affirmation form along with the Provisional Ballot.
- If relevant, the voters will be provided with a Provisional Ballot Cure Affidavit, DS-DE 210 (Division of Elections form designed to validate the voter's eligibility).

Canvassing of Provisional Ballots (cont.)

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CB Activities:

- Public notice is required at least 48 hours in advance of the Provisional Ballot canvassing meeting.
- The CB shall examine any evidence submitted by the voter and any evidence provided by the SOE to determine the voter's eligibility. The voter may present such evidence until 5pm two days after the election.
- The validity of the signature on the Certificate of Affirmation or Provisional Ballot Cure Affidavit must also be examined to ensure a match to the signature(s) of record or of the supplemental identification provided.

Recounts*

Background:

- If the unofficial returns (the results submitted to the Secretary of State four days after the general election) reflect that a race or ballot measure was determined by 0.5% or less, an automated (machine) recount shall be ordered and all ballots must be re-tabulated (re-fed through the machines).
- If the automated recount reflects that any race or ballot measure was determined by 0.25% or less, a manual recount of the overvotes and undervotes shall be conducted.
- A candidate or political committee has no authority to request a recount.

*In the event of a recount, please consult the FDP Recount Manual.

Recounts (cont.)

CB Activities:

- Ballots with overvotes and undervotes will be set aside for review if and when a manual recount is ordered. *Refer to the appendix for information regarding overvotes and undervotes.*
- Manual recounts are not required if the candidate files a written request to that effect or if the number of overvotes and undervotes will not change the outcome of the election.
- Public notice is required as soon as possible after the determination that a recount is required.



Post-Election Audits

Background:

- The CB must perform a post-election audit after certification of election results UNLESS a manual recount was required.
- The audit must be completed and results made publicly available no later than the end of the 7th day following the certification of election.
- The audit may be automated or manual. Automated audits, fully described as automated, independent audits (AIA), are becoming more common as the DOE-approved machines are being used.
- Activities for each type of audit are outlined on the following slides.

* For those attending a post-election audit, there will be a separate training.

Post-Election Audits - Manual & AIA

CB activities applicable to both audit types:

- Public notice is required at least 24 hours in advance of the audit.
- The audit is conducted by audit teams, permanent or temporary employees of the SOE, who are selected in advance by the SOE.
- Ballots may be handled only by the CB, an SOE employee or an audit team member.
- Audit reports are due to the DOE 15 days after completion of the audit.
- The audit report (Voting System Post-Election Audit Report DS-DE 107) shall include:
 - Overall accuracy of the audit.
 - Problems or discrepancies encountered, if any.
 - The likely cause of problems or discrepancies, if any.
 - Recommended corrective actions for future elections, if applicable.

Post-Election Audits - Manual

CB activities:

- The manual audit consists of a manual tally of one randomly selected race in at least 1% but no more than 2% of the precincts in the county. If 1% of the precincts is less than one precinct, the audit shall be conducted for one precinct.
- The CB shall make all selections at random (e.g., drawing lots, computerized random selection). The race will be selected first, then the precinct(s).
- The SOE prints a report from the voting system for the selected precinct(s) which provides the number of ballots by Election Day, early voting, VBM and provisional ballots (unless provisional ballots are included in the other totals). The report is not shown to the audit team(s).

Post-Election Audits - Manual (cont.)

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CB activities (cont.):

- The audit team counts the ballots for the selected precinct(s) by ballot type, including overvoted and undervoted ballots with clear voter intent. Ballots with unclear voter intent are placed in separate stacks
- Counts of all ballots are noted on the Manual Audit Worksheet (DS-DE 105B).
- The CB compares the counts for each ballot type on the report to the counts of the audit team.
- If the report and the audit team counts match, the Precinct Summary for the Manual Audit (DS-DE 106) is prepared. If there is a discrepancy of more than 0.5% of vote tallies within the selected race or precinct, the CB must reconcile or the audit team conducts a manual re-tally.
 - If the discrepancy is not resolved, the CB records the discrepancy on the Precinct Summary for Manual Audit (DS-DE 106).

Post-Election Audits - AIA

CB activities:

- The AIA consists of a public automated tally of the votes cast across all races in at least 20% of precincts in the county. If 20% of precincts is less than a whole number, the number of precincts shall be rounded up.
- The CB shall make all selections at random (e.g., drawing lots, computerized random selection).
- The DOE must approve the AIA system prior to the conduct of an AIA, which must be completely independent of the system used during the election.
- The SOE must test each scanner to ensure that it is operating properly in accordance with AIA vendor specifications.
- The SOE must also perform a logic and accuracy test on at least one of the scanners to ensure the accuracy of the tabulation software.
- The CB must test the AIA system to ensure it is working correctly.

Post-Election Audits - AIA (cont.)

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CB activities:

- The AIA system shall produce a tally and printed results. Results shall be tallied by ballot type for all selected precincts.
- The CB compares AIA system results to the official results for the selected precincts.
- If there is a discrepancy of less than 0.5% of vote tallies, the CB shall record the result on the Voting System Post-Election Audit Report (DS-DE 107).
- If there is a discrepancy equal to or greater than 0.5%, the CB:
 - Must investigate by reviewing the ballot images to determine if votes were marked in a race that was likely not read by either the system used during the election or the AIA system.
 - Must prepare a Discrepancy Report for AIA (DS-DE 106A).

Observing at Canvassing Board Meetings

Preparing to Observe

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Prior:

- ❑ Access the SOE website for names of the CB members and search the internet for photos and biographies.
- ❑ Obtain and study the Canvassing Board Fact Sheet.

Day of:

- ❑ Arrive at least 15 minutes early to ensure that you may be seated.
- ❑ Bring your fully charged phone and a charging cable or portable battery pack. Silence the phone and cover the camera lens with tape.
- ❑ Bring the fact sheet provided to you for reference. Treat the documents as confidential and do not leave them unattended.
- ❑ Bring a mask & hand sanitizer.
- ❑ Have LBJ open / signed in on your phone.
- ❑ If possible, two Canvassing Board Observers should attend, one of whom has attended meetings previously.

Observing

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- The process for asking questions and raising objections varies by county. Be sure to find out that process before the CB meeting begins.
- Identify the CB's counsel - if present.
- Ensure that activities are conducted in accordance with those presented in this document and / or the Canvassing Board Fact Sheet.
- Report any issues you observe in LBJ.
- Urgent issues (e.g., other observers presenting multiple challenges, obstruction, or slowing of CB activities) should be reported to the CB Boiler Room and County Lead by text message. Alternatively, step out and call the CB Boiler Rooms and County Lead.
- Please complete nightly reports after each CB meeting you attend.

Appendix: Special Circumstances

Challenges During Signature Match

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Background:

- SB 90 allows for the observation of signature matching by a Privileged Party.
- While observing, Privileged Parties may challenge the existence of a match either before or after the SOE staff has made its decision. The statute is silent on what happens next.
- County Leads or SOE Engagement Managers will be discussing this new provision with their SOE. The FDP will provide further information and recommendations once this information is evaluated.

Physically Damaged VBM Ballots

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Background:

- Physically damaged VBM ballots should be counted.
- If such a ballot cannot be counted by a tabulating machine, a duplicate copy must be made in the presence of at least one CB member.
- Privileged Parties may observe the duplication of ballots.
- The copied ballot should be marked “duplicate” and must include a serial number.
- If a Privileged Party makes a reasonable objection to the duplicated ballot, the CB will determine the validity of the duplicate ballot.

Overvoted or Undervoted Ballots

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Background:

- An overvoted ballot is one on which the voter has marked more than one selection in a race or ballot measure.
 - These votes are not counted unless the intent of the voter was clear.
- An undervoted ballot is one on which the number of choices properly selected by a voter, in a race or ballot measure, is less than the number of allowable choices.
 - If there is an indication on the ballot that the voter had made a choice (e.g., circled the bullet, wrote the candidate's name, placed a checkmark next to the ballot measure selected), the vote will be counted.
 - If there is no clear indication on the ballot that the voter has made a choice for a race or ballot measure, the ballot is not counted.

Overvoted or Undervoted Ballots (cont.)

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Background (cont):

- Overvoted and undervoted ballots must be duplicated and the original must be preserved in the same manner as physically damaged ballots. The duplication shall reflect the CB's determination as to whether the voter made a definite choice.
- Privileged Parties may observe the duplication of ballots.

Questions?