Presidential Commission on Election Administration Hearing

Testimony regarding the 2012 General Election from
Penelope Townsley, Miami-Dade Supervisor of Elections

BankUnited Center, University of Miami
Coral Gables, Florida
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Miami-Dade Supervisor of Elections

To summarize elections in Miami-Dade County, it is important to note the following:

- Unlike the other Supervisors of Elections (SOEs) in the State of Florida, the Miami-Dade Supervisor of Elections is not an elected official.

- The position is appointed and its authority is derived through the Mayor of Miami-Dade County.

- As such, the Miami-Dade Supervisor of Elections does not set policy in the same way as SOEs in other counties.

Overview of Miami-Dade County

Miami-Dade County has the largest and most complex election operation in the State of Florida with:

- Over 1.3 million registered voters

- 829 precincts located in 541 physical polling places throughout the County. Polling places chosen based primarily on availability, geographic location, size, and ADA compliance.

- Up to 10,000 poll workers in major elections and over 100 administrative, technical and supply troubleshooters countywide to provide timely response to Election Day issues. Training for these individuals begins three months prior to the election.

- ADA accessible voting equipment available at all polling sites, and poll workers trained to appropriately assist voters with disabilities.

Voter Turnout & Equipment Allocations

- In the 2012 General Election, over 888,000 Miami-Dade County voters cast their ballots via Early Voting, Absentee Voting and on Election Day – approximately 16,000 or 2% more in 2012 than in 2008.

- 52% more optical scanners and 88% more privacy booths were utilized for Early Voting in the 2012 General Election than in 2008 – served 90,000 or 28% fewer Early Voters in 2012 than in 2008.

- 1,729 Election Day optical scanners were deployed in the 2012 General election; in comparison to 1,528 in 2008.

Voter Turnout & Equipment Allocations

- 6,006 Election Day privacy booths were deployed in the 2012 General election; in comparison to 5,870 in 2008 – served 40,000 or 11% more Election Day Voters in 2012 than in 2008.

- Over 300,000 voters requested absentee ballots for the 2012 General Election and 243,953 absentee ballots were cast – representing over 66,000 or 37% more in 2012 than in 2008.

Unprecedented Challenges

Many of the planning and operational activities surrounding the 2012 General Election were unprecedented.

Miami-Dade County faced many challenges, which included:

- Serving the largest number of voters in the County's history

- Coding a 6 sheet (12-page) ballot which exceeded the system capacity and was the County's largest ballot ever produced

- Upgrading its Absentee Ballot Mailing System to accommodate the ballot size

Unprecedented Challenges

- Processing a record number of Absentee Ballots totaling over 1.2 million ballot pages

- Introducing pre-printed common ballots pages during Early Voting which reduced the per voter printing time in half

- Implementing a Supervised Voting Program to further protect the rights of the elderly mail ballot voters

Unprecedented Challenges

While these initiatives were necessary to even conduct the 2012 General Election, they were largely behind the scenes.

The challenges that were most apparent to the voters were the long lines – and in some instances – rather long wait times.

Despite the Department's best efforts to educate voters about the importance of preparing in advance and being familiar with ballot contents - there were still voters who sustained long lines.

Voter Education was conducted through the local news, radio, newspaper, sample ballots and numerous other outreach initiatives.

Miami-Dade Elections Advisory Group

- As a result of these challenges, subsequent to the 2012 General Election, Miami-Dade County Mayor Carlos Gimenez established a 14-member Elections Advisory Group to:

  ➢ Review the challenges encountered in the General Election,

  ➢ Identify opportunities for improvement, and

  ➢ Make recommendations to the Board of County Commissioners and the State legislature.

- During this period, the Miami-Dade Elections Department issued an After-Action Report assessing the planning and operational aspects of conducting the General Election.

After-Action Report Findings

The Department found in the analyses that there was no single factor leading to the challenges experienced in this election.

The Department identified six primary factors that contributed to the long lines and wait times during Early Voting and on Election Day, and made administrative and legislative recommendations to address them in the future.

Primary Contributing Factors identified were:

- Ballot Length
- Number of Early Voting Sites
- Reduction of Early Voting Days

- Absentee Ballot Processing
- Polling Place Inefficiencies
- Not Re-Precincting

Ballot Length

- This is perhaps the most significant factor that impacted all three methods of voting.

- Miami-Dade County's 2012 General Election ballots included 105 ballot styles that contained between 37 and 58 contests each.

- Not only did voters have 11 long and complex constitutional amendments, but also had 11 county questions, in addition to 17 municipalities piggybacking with their own varieties of questions.

- Voters were clearly overwhelmed with this text.

Number of Early Voting Sites

- Since 2004, Miami-Dade has operated 20 Early Voting Sites.

- Of the 74 statutorily authorized sites - libraries and city halls - in the County, the Department's post-election survey identified an additional 28 facilities that are suitable for conducting Early Voting.

- Without a doubt more early voting sites would have helped reduce wait times by better distributing voters.

- At the point the Department realized this was necessary, it was too late to add additional sites simply because it did not have the required equipment or staffing resources to do so.

Reduction of Early Voting Days

- Fewer days than the last presidential election meant fewer options for voters.

- Early Voters could not spread their decision to vote Early over 14 days, but rather had only 8 days.

- The discouraging effects of long lines during Early Voting may have pushed voters who would have otherwise voted Early to Vote by Mail and on Election Day – causing historically high numbers in those methods.

Absentee Ballot Processing

- The greatest challenge with absentee ballot processing was the record volume of absentee ballots requested, mailed and returned.

- On the Monday prior and on Election Day, approximately 56,000 absentee ballots were received (over 300,000 ballot pages) that had to be processed, verified, canvassed, opened and scanned to include in election results.

- Sheer volume of paper requiring proper handling and attention to signature detail is the reason final election results were not completed on Election Night as the media would have liked.

- Challenges were further exacerbated by a 12-hour mechanical breakdown of the inbound absentee ballot processing equipment.

Polling Place Inefficiencies

- On Election Day, polling place inefficiencies have been largely attributed to the Department's outdated voter check-in process.

- The paper-based process significantly impacted wait times at some precincts as voters had to be manually located on hardcopy precinct register pages and often waited inordinate periods of time for poll workers to make phone calls to the Elections Department to determine eligibility.

Not Re-Precincting

- The decision to not re-precinct after legislative redistricting was made in the best interest of voters and served them well in the Primary Election.

- However, it had the opposite effect in the General Election when compounded with other factors.

- In some cases, it resulted in an uneven distribution of voters, which proved problematic in a high turnout election coupled with a long ballot.

Despite Challenges, Deadlines Met

Even with these challenges, and a 12-hour mechanical breakdown with the Absentee Ballot processing equipment:

> ➢ By 10:00 p.m. on Election Night, 91% of Miami-Dade precincts had their last voter vote, and

> ➢ The Department met and exceeded the State's Reporting Deadline for both Unofficial and Official results.

In having identified these Primary Contributing Factors, the obvious question is what can and will Miami-Dade County do to ensure that it does not experience these challenges in future elections.

Remedies at the State Level

Among the most impactful remedies are the legislative changes that were recently approved. The County made five state legislative requests that specifically related to the challenges it faced:

- Flexibility in the allowable sites used during Early Voting

- Extending the number of Early Voting Days , including the Sunday prior to Election Day

- Limiting the state constitutional amendments to the same 75-word restriction of other ballot language

- Extending the number of days that SOEs are permitted to canvass absentee ballots before the election from 15 to 20 days

Remedies at the State Level

The State Legislature then passed a comprehensive bill known as HB 7013, which addresses many of the Department's concerns, that will have a positive impact on elections moving forward.

- Expands currently authorized Early Voting sites

- Allows up to 14 days of Early Voting, including Sunday before election

- Applies 75-word limit to uncontested constitutional amendments

Miami-Dade County and the Elections Advisory Group are committed to taking advantage of the opportunities and flexibilities these new laws provide for major countywide elections. These changes alone will help to significantly reduce lines in future elections.

Remedies at the County Level

- The Department is currently working on a comprehensive, countywide re-precincting plan to eliminate split precincts and provide a more uniform distribution of voters, and

- Miami-Dade County is committed to implementing technology enhancements that will significantly speed up processing times in all three methods of voting.

- In addition, Miami-Dade County will implement solutions for Election Day, Absentee Voting, and Early Voting.

Remedies at the County Level

For Election Day, Miami-Dade County will:

Purchase electronic poll books that will be used countywide in all precincts, to provide:

- Faster, more efficient voter processing;

- Instantly update voter history; and

- Eliminate the need for phone calls to determine voter eligibility

Remedies at the County Level

For Absentee Voting, Miami-Dade County will:

Replace and Purchase Advanced Absentee Ballot Processing Equipment. This enhancement will:

- Exponentially enhance inbound processing productivity and

- Eliminate delays in outbound processing due to resource dependence

Remedies at the County Level

- For Early Voting, the most impactful change is opening additional Early Voting sites based on the type of election. Not only does the "one size fits all" concept not work from county to county, but from election to election.

- Miami Dade County has broken through the "one size fits all" mentality, and understands that Presidential Elections warrant more than the standard 20 Early Voting sites. At the end of the day, it is all about the voters.

  - ➢ Additional sites will reduce wait times

  - ➢ Allow a better dispersion of voters

  - ➢ Enhance voter convenience

Closing Remarks

- In closing, Miami-Dade County is thankful for the opportunity to speak before the Presidential Commission on Election Administration.

- Miami-Dade County remains hopeful that the legislative changes recently enacted will improve the voting experience in Florida.

- The Miami-Dade Supervisor of Elections is personally committed to instituting these changes under her discretion to ensure that future elections in Miami-Dade County can be seen as a model nationwide.

- Questions and Answers