

Florida Statewide Database Implementation And Operation

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I would like to thank the Election Assistance Commission for the opportunity to discuss Florida's implementation of statewide database requirement under the Help America Vote Act and future improvements necessary by States to respond to the expectations of registered voters and needs of election administrators as well as the interests of other stakeholders in the voter registration and list maintenance process.

One of the major changes that have taken place in Florida has been the implementation of the statewide Florida Voter Registration System or FVRS. The federal Help America Vote Act required each state to implement a statewide voter registration database. Florida's system went live on January 1, 2006.

FVRS maintains the official database of registered voters and their voting history. While a large part of registration input is completed

at the county level, all registration activities take place through this database.

The system established in Florida facilitates interoperability between the county voter registration systems and FVRS and includes processes such as the maintenance and update of voter registration records, notifications to voters, assignment of identification number, assignment of precinct and political jurisdictions, processing of precinct registers and geographical information processing, address list maintenance, and the match processing initiated by statewide computerized list maintenance.

The county databases allow local election officials to work with their local copy of data when performing the processes for which they are responsible - petition verification, absentee processing, voter history processing, match processing, candidate lists, and other reports.

While correspondence may be triggered by FVRS by the notification process, the counties have responsibility for printing and mailing of all correspondence to the voters.

Any change to a voter's record on FVRS will appear virtually simultaneously on the county database where that voter is registered. A synchronization process allows local election officials to maintain a copy of all voter information yet ensures that if the local county requests information from the central authoritative database, they will obtain the same results. Each local system will have records for each voter that is registered to that county. And while the local system may retain records of voters have moved to other counties, they will not be eligible voters in that previous county.

Every time a new voter registration record is created or a registration record is changed, FVRS places a "notification" to the affected counties. If a voter is being moved from one county to another within the state, both counties will receive a notification of the change. After processing and retrieval of notifications, all 67 county databases are accurately synchronized with the Florida Voter Registration System.

The concept of interactive databases under HAVA is facilitating more efficient list maintenance procedures and meeting the individual voter registration needs of the community allowing each county to communicate with each other using the statewide database as the conduit.

For example, when a registrant moves from one county to another county within the state, the registration is now updated instead of creating a whole new voter registration and permits registered voters in one county in Florida to go their new local precinct polling place and update their address before voting a regular ballot.

The statewide database allows a county election official or poll worker to look up voter information on the statewide database or their synchronized local database and determine whether the newly moved voter is on the official voter registration list. If so, the voter can update their address and vote a regular ballot. In most instances, the election official would be able to determine within minutes

whether the person presenting themselves is a registered voter in Florida.

However, even if the election official is unable to determine whether the voter is on the statewide rolls for any reason - for technical or connectivity reasons - the voter can vote a provisional or fail safe ballot. This provisional ballot allows the election official to search the statewide database at a later time and investigate without the pressure of Election Day to determine if the individual who presented themselves was indeed a registered voter. The bottom line is if the individual was indeed a registered voter, the provisional ballot will count.

Before the advent of the statewide database under HAVA, the voter described above would likely not been permitted to vote as the new county would not have been able to verify with the other county and state via FVRS that the individual was registered in the State of Florida.

Computerized List Maintenance

In order to assure that the voter registration rolls are updated regularly, systematic computerized list maintenance data is provided to counties on a regular basis. Every two weeks a list of deceased persons is received from the Department of Health and the Department identifies names of those who were registered to vote. The names are forwarded to the Supervisors of Elections to be removed from the voter rolls. Likewise, the Department identifies names of persons declared mentally incompetent and those who have been convicted of a felony and who have not had their civil rights restored. After determining that the information is “credible and reliable,” the Department forwards the information to the Supervisors of Elections who notify the voter of their potential ineligibility and give the voter the opportunity to refute the information. In addition, the Supervisors of Elections regularly update their registration information based on notices of address changes that they receive. The Supervisors of Elections provide biannual certifications of their list maintenance activities.

One item which has received a lot of press coverage recently is what some are calling the “No Match, No Vote” law. There have been many misstatements about this provision. HAVA requires States to match information received on voter registration forms against driver's license and social security databases for the purpose of verifying the accuracy of the information received from all new voter registrants. As the counties are the final arbiter on voter eligibility or ineligibility, we feel we have a duty to provide that information to county officials.

In Florida, the Voter Verification law regarding new voter registration applications became effective January 2006. It was in effect until December 2007 when a court first ordered the Department to stop the almost 2-year old process. That ruling was overturned on appeal. The law was re-implemented September 8, 2008. The implementation was delayed by pending litigation until July, when we received U. S. Department of Justice preclearance, and because of the time we needed to reprogram the system to automatically notice voters and set up revised procedures. We increased the human

element into this process of carefully reviewing records and unverified applications individually with special database from the Department of Highway Safety and Motor Vehicles. Obvious errors, including nicknames or typos would be resolved and the applicant will be registered to vote.

Every voter registration applicant must provide, if issued, a Florida driver's license number, state identification card number or the last 4 digits of the social security number. The identification number is automatically cross-checked against the Florida driver's license database or the Social Security Administration database. If that number does not match, the Bureau of Voter Registration Services manually reviews a scanned image of the application for identifiable typographical errors or a difference between a nickname and formal name based on available records and the actual voter registration application.

If the number still cannot be matched, the applicant is notified by letter and often by other means such as phone or email, to provide a

photocopy of their identification by mail, by fax, or by e-mail; or the applicant may show their identification in person to the supervisor of elections. If proof is provided before the election, the applicant becomes registered and the person is able to vote a regular ballot. If proof is not provided before the election, the person may vote a provisional ballot. The person may provide proof up until 5 p.m. of the 2nd day after the election for the ballot to be counted.

This law does not keep any person with an unverified number from being able to vote. This law is about verifying identity at the time of registration, so that when the voter goes to the polls, the voter can vote a regular ballot, not a provisional ballot.

The I. D. required and checked at the polls is used solely to confirm the voter's identity, not to verify the voter's ID number or address.

The photograph on the ID is compared to the person standing before the poll worker and the signature on the ID is compared to the signature the voter puts on the precinct register.

The courts have held that the Voter Verification law is valid because the state has a “compelling” state interest in maintaining accurate voter rolls. Despite what some have said, the voter verification law prevents fraud and improves the accuracy of the voting rolls so there is no confusion on Election Day. The state provided examples of fraudulent applications that had come through the system because the law had been temporarily stopped. This is a good common sense law that will help our voter rolls achieve more accuracy and less fraud.

The interoperability of the statewide databases with other state and federal databases should be an evolutionary process of continuous improvement by use of the latest technological enhancements and as important, human oversight of the process to minimize errors. For example, in Florida, we are suggesting to the state legislature that the Division of Elections interact directly with the Social Security Death Index to provide nationwide information on Florida registrants that may have passed away outside the State of Florida. This information is not obtained by our state health agency resulting in deceased

registrants staying on the rolls for an unusual length of time due to the gaps in information. With this legislation, we are looking to establish interaction with the Social Security Death Index to receive this data and process it with our HAVA staff before passing it on to the counties for final eligibility determination and removal.

In conclusion, statewide databases should be a constantly evolving vehicle to better serve registrants and voters and enhance the processes for election officials. We are anticipating and planning for the future use of available technological advancements to enhance our current database capabilities. In this world of instantaneous banking and worldwide communication, we will attempt to incorporate the latest technologies to serve the people and meet their high - and not unreasonable expectations.

I would be remiss if I did not applaud the EAC and the group of State and local election officials working with the National Academies in exploring interoperability and many of the technical issues relating to the operation, maintenance, and upgrade of current database

systems. While the process has taken a long time, it has certainly been thorough; the interim report is a wealth of knowledge and we hope the final report is helpful in envisioning the way forward.

Thank for you for the opportunity to discuss this issue. I am happy to take any questions.