CONDUCT OF ELECTION REPORT

SECTION 102.141(9), FLORIDA STATUTES

#124028
03/30/2020

The County Canvassing Board must submit a completed Conduct of Election Report to the Division of Elections at the same time that the board submits its certified official election results for any presidential preference primary, general, primary, or special election, whichever is applicable.

On behalf of the county canvassing board, the Supervisor must submit the report via the SOE File Transfer Utility on the SOE portal. For assistance if needed, please contact the Bureau of Voting Systems Certification, Eleonor Lipman; Eleonor.Lipman@dos.myflorida.com; 850-245-6258 or Zane Wood; Zane.Wood@dos.myflorida.com; 850-245-6123.

GENERAL INFORMATION

1. **County:** Escambia

   Date of Election: 3/17/2020

   Election (*Check one*):

   - [x] Presidential Preference Primary Election
   - [ ] Primary Election
   - [ ] General Election
   - [ ] Other election (*specify*):_____

2. **Election Definition** created by *(Check one)*:

   - [x] County Supervisor of Elections' Office (SOE)
   - [ ] Vendor
   - [ ] Consultant
   - [ ] Other (*specify*):_____

EQUIPMENT

3. **Voting Devices** (*Insert the applicable number*):

Vote-by-Mail (VBM) Central Count Marksense Scanners		
Initial Total VBM Scanners	Removed	Replaced or Added
2	0	0

Precinct Count Marksense Scanners				
	Number of Polling Locations	Initial Total Deployed	Removed	Replaced or Added
Early Voting	9	18	0	5
Election Day	80	106	0	3

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Voter Interface Device (e.g., Automark, ExpressVote, or ICE)				
	Number of Polling Locations	Initial Total Deployed	Removed	Replaced or Added
Early Voting	9	9	0	0
Election Day	80	80	0	1

Reason for removal, replacement or addition of voting devices:

See separate sheet.

4. Did **equipment or software** issues occur at the precinct level, at a counting location, or within computer and telecommunications networks supporting county location? *(Section 102.141, F.S.)*

☐ **NO** Proceed to #5.

■ **YES** Specify the number of issues in the appropriate column(s) in the table below, indicate the specific type of issue(s) incurred on the checklist, and explain the steps taken to resolve the issue(s) on the lines provided (□ check this box if on a separate sheet).

		Number of issues		
		Early Voting Site	**Election Day Polling Locations**	**Central Location**
Equipment	Marksense Scanner	5	3	
	Voter Interface Device	0	1	
Software	Marksense Scanner	0	0	
	Voter Interface Device	0	0	
Computer	Election Mgmt. System			
Telecommunications	Modems and Phone lines	0	7	

Checklist for type of equipment/software issues encountered (Check all that apply)
Early Voting and Election Day

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Checklist for type of equipment/software issues encountered (Check all that apply)	
Voting devices	
☐	Voting devices – not connected to electrical power or power source issue
☐	Voting devices – battery backup issue – battery not charged
☐	Voting devices – battery backup issue – removed from service
☐	Voter interface device issue – repaired – remained in service
☐	Voter interface device media issue – media replaced
☒	Marksense scanner issue – repaired – remained in service
☐	Marksense scanner memory media issue – media replaced
☐	Marksense scanner did not reject a blank ballot
☐	Marksense scanner did not reject a ballot with an overvoted contest
☐	Marksense scanner did not accept one or more undervoted contests
☐	Ballot box diverter issue – removed from service
☐	Ballot box diverter issue – repaired – remained in service
☒	Used the marksense scanner's ballot box emergency/auxiliary bin
☒	Could not complete a planned modem upload or problems with the phone lines
☐	Other – Provide the description
Central Location	
Vote-by-Mail tabulation	
☐	Marksense scanner issue – repaired – remained in service
☐	Marksense scanner memory media issue – media replaced
☐	Other – Provide the description
Election Management	
☐	Problem uploading results or creating reports
☐	Other – Provide the description

Steps Taken to Resolve:

See separate sheet.

5. Were any **election definition errors** discovered after the logic and accuracy test? *(Section 102.141., F.S.)*

☒ **NO** Proceed to #6.

☐ **YES** Specify the number of issues in the appropriate column(s) in the table below and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

	Number of issues		
	Election definition issues	**Precinct count media issues**	**Central count media issues**
County created definition or media			
Vendor created definition or media with correct county information			
Vendor created definition or media with incorrect information from the county			

Notes: Election Day refers to the polling locations. Media refers to a tabulator's memory cards, memory packs, USB flash memory, zip drive, PEBs, etc.

Steps Taken to Resolve:

_____

_____

_____

BALLOTS

6. **Ballot-Printing** (*Check all that apply*):

	Early Voting	Election Day	Vote-by-Mail
Ballot-on-Demand (BOD)	X	X	X
Ballot Printer Service (provided by SOE's Voting System Vendor)		X	X
Ballot Printer Service (provided by vendor other than SOE's Voting System)			

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7. Did any **ballot printing and/or ballot supply problems** occur? *(Section 102.141., F.S.)*

☐ **NO** Proceed to #8.

■ **YES** Specify the number of issues in the appropriate column(s) in the table below, indicate the specific type of issue(s) incurred on the checklist, and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

	Number of issues			
	Electronic ballot layout issues	**Paper ballot layout issues**	**Paper ballot printer issues**	**Paper ballot supply problems**
County created the ballot	0	0		
Vendor created with correct county information	0	0		
Vendor created with incorrect information from the county	0	0		

	Checklist for type of ballot or printer issues encountered (Check all that apply)
Early Voting and Election Day	
Polling location *(please identify the location)*	
X	Incorrect ballots provided to the voter – poll worker
	Ballot moisture (humidity) cannot scan
	Multi-language or minority language (e.g., Spanish) ballots – not available and/or issues
Vote-by-Mail	
	Incorrect ballots provided to the voter – election staff
	Incorrect ballots provided to the voter – vendor error
	Multi-language or minority language (e.g., Spanish) ballots – not available and/or issues
Ballot-on-demand (BOD)	
	Printed incorrect ballots – printer configuration error, such as duplex
	Printed incorrect ballots – software error
	Printer failure
	Incorrect ballots provided to the voter – poll worker
Other	
	Describe the issue:

Steps Taken to Resolve:

See separate sheet.

ELECTION ADMINISTRATION

8. Did you have any **staffing shortages and/or procedural problems by employees or precinct workers** during the conduct of the election?
(Section 102.141, F.S.)

☐ **NO** Proceed to #9.

■ **YES** Specify the number of issues in the appropriate column(s) in the table below, indicate how the issue was addressed, and explain the steps taken to resolve the issue(s) on the lines provided (□ check this box if on a separate sheet).

Who experienced the issue	Number of shortages	Number of times that additional training may have mitigated the problem(s)	Number of times when procedures were not followed
Poll workers	0	10	10
Election staff	0	0	0
Security	0	0	0
Temporary support	0	0	0

Steps Taken to Resolve:

See separate sheet.

9. Were there instances when the needs for **staffing and equipment were insufficient** to meet voters' needs?
(Section 102.141, F.S.)

■ **NO** Proceed to #10.

☐ **YES** Specify the numbers in the appropriate column(s) in the next table and explain the steps taken to resolve the issue(s) on the lines provided (□ check this box if on a separate sheet).

	Number of planned resources for Election Day	Number of resources available for Election Day	Number of insufficient resources on Election Day to meet the voters' needs
Poll workers			
Election staff			
Voting devices		Note below and see page 1	
Other equipment and supplies			

Note: The number of "planned" items are based on the Election Day estimates, and "available" is the actual items at the start of the Election Day. Note that the number of voting devices available is based on the actual initial total deployment including voter interface devices as provided on page 1 for Election Day. Other equipment and supplies, for example, refers to summation of the number of electronic poll book devices, provisional ballot supplies, ballot boxes, transfer bags, etc.

Steps Taken to Resolve:

_____

_____

_____

_____

10. Did you experience any issues associated with Voter Check – In? *(Section 102.141., F.S.)*

☐ **NO** Proceed to #11.

☐ **YES** Specify the number of issues in the appropriate column(s) in the table below, indicate the specific type of issue(s) incurred on the checklist, and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

	Number of issues	
	Early Voting Site	Election Day Polling Locations
Electronic Poll Book/ Precinct Register (If used in election)		
Paper poll book / precinct register		

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Checklist for type of voter check-in issues encountered (Check all that apply)	
Early Voting and Election Day	
Electronic-Poll Book	
Type:	**Vendor:**
☐	Electronic Poll Book – not connected to electrical power or power source issue
☐	Electronic Poll Book functionality issue – repaired – remained in service
☐	Electronic Poll Book functionality issue – removed from service
☐	Electronic Poll Book media issue – media replaced
☐	Electronic Poll Book connectivity issue – repaired – remained in service
☐	Electronic Poll Book connectivity issue – removed from service
☐	Electronic Poll Book Check-In Process
Paper poll book / precinct register	
☐	Paper Poll Book – Incorrect
☐	Paper Poll Book – Check-In Process
Other	
☐	Describe the issue:

Steps Taken to Resolve:

_____

_____

_____

_____

11. Did you experience **any additional issues** associated with the conduct of election? *(Section 102.141, F.S.)*

☐ **NO** Proceed to #12.

☐ **YES** Indicate on the checklist the type of issue(s), and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

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Checklist for Additional Issues	
Early Voting and Election Day	
Polling location	
☐	Incorrect setup
☐	Solicitation area violated
☐	Incompatible for ADA accessibility
☐	Incompatible for use as a polling location
Voters	
X	Fleeing voter
☐	Disruptive behavior
☐	Disruptive photography
Observers	
X	Not approved
☐	Disruptive behavior
☐	Disruptive photography
Media and/or citizen polling	
☐	Disruptive behavior
Other	
☐	Describe the issue:

Steps Taken to Resolve:

See separate sheet.

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CANVASSING BOARD

12. If the canvassing board conducted a manual recount of overvotes and undervotes, does the canvassing board have suggested revisions to the law or the rules for determining a voter's choice?
(Sections 101.6952(2) and 102.166(4), F.S. and Rules 1S-2.027 and 1S-2.051)

- ■ **N/A** Proceed to #13.
- ☐ **NO** Proceed to #13.
- ☐ **YES** Provide suggested revisions below. If needed, attach additional pages and a copy of a representative ballot for which a determination could not be made to illustrate the issue.

Proposed revisions to standards for determining a voter's choice:

_____

_____

_____

_____

13.

County Canvassing Board

Print Name	Signature	Title	Date
Kerra A. Smith		Escambia County Judge	3/27/2020
David H. Stafford		Escambia County Supervisor of Elections	3/27/2020
Robert D. Bender		Escambia County Commissioner	3/27/2020

NOTICE: A statutory duty exists to continually report any new or additional information on any of the items required to be included in this Report. The supervisor of elections on behalf of the board must:

- Notify the Division of Elections no later than the next business day after the discovery of the information; and
- Submit a signed written report amended report no later than no later than 10 days after the discovery. (Section 102.141, F.S.)

Addendum

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Addendum

This section asks what services and materials were provided to accommodate Spanish language voters.

1. Type of Spanish-language ballot used in county:

	Select all that apply
Spanish-Language Ballots	
☐	Unilingual Ballot
☒	Bi- or multilingual ballot
☒	Voter Interface Device (Automark, Expressvote, or ICE)

2. Number of persons that requested Spanish-language ballot? **(only applicable to counties with single language ballots)**: N/A

3. Form of language assistance offered at the Supervisor of Elections Office:

	Select all that apply
☒	Bilingual staff
☒	Spanish voter assistance hotline
☒	Professional translation services by phone
☒	Spanish language election related signage and materials
☐	Other- describe

4. Form of language assistance offered at the polls:

	Select all that apply
☒	Bilingual election worker
☒	Spanish voter assistance hotline
☒	Professional translation services by phone
☐	Virtual bilingual election worker
☒	Spanish language election related signage and materials
☐	Other- describe

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5. Number of persons that accessed the Spanish-language website: 22

6. Form of language assistance offered on website:

Select all that apply	
X	Fully translated website in Spanish
	Link to state's Spanish-language information website
X	Spanish language election related materials
	Other- describe

7. Provide any additional relevant information: N/A

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Part 3 – Voting Devices

Reasons for removal, replacement or addition of voting devices:

1. Three early voting DS200s were not easily accepting ballots and were replaced. Each early voting site had two DS200s. No voters were denied the ability to vote.
2. Two early voting DS200s would not properly start up and were replaced. Each early voting site had two DS200s. No voters were denied the ability to vote.
3. Two Election Day DS200s were not easily accepting ballots and were replaced. No voters were denied the ability to vote.
4. One Election Day DS200 would not properly start up and was replaced. No voter was denied the ability to vote.

Part 4 – Did equipment or software issues occur at the precinct level, at a counting location, or within computer and telecommunications network supporting county location?

Resolution Steps:

1. Five early voting locations had technical issues with one of their two DS200s. Each location had always at least one of the two DS200s operational. The issues were assessed by technicians and each machine was replaced with an operable machine. No voters were denied the ability to vote.
2. Three Election Day precincts had to use their emergency bins at some point during Election Day. At two of these locations, any DS200s that were not accepting ballots were examined by at least one technician and then either replaced or put back into service following inspection. At the other location, the DS200 unit would not properly start up and was replaced. No voters were denied the ability to vote.
3. One precinct had an ExpressVote begin to overheat. No voters had used or were using the machine. After assessment by a technician, the machine was replaced. No voter was denied the ability to vote.
4. Seven Election Day locations were unable to modem. One of those sites had their results modemed from the county drop off location. The results from the other locations were read directly into ElectionWare at the SOE Warehouse.

Part 7 – Did any ballot printing and/or ballot supply problems occur?

Resolution steps:

1. Five separate incidents in two different locations in which a voter received a ballot from the wrong precinct in a location for two collocated precincts. Procedures will be review with elections workers and additional training will be provided to ensure procedures and understood and followed in the future.
2. Five occasions in which a voter disputed their ballot style and left without voting.
3. Two occasions in which the voter was issued the incorrect ballot style and voted the ballot. Procedures will be review with elections workers and additional training will be provided to ensure procedures and understood and followed in the future.

4. Three occasions in which a provisional voter took their ballot to the DS200 and it was tabulated, rather than return the ballot to the Clerk to be sealed in the provisional ballot envelope. Procedures will be reviewed with the election workers and additional training will be provided to ensure the procedures are understood and followed.

Part 8 – Did you have any staffing shortages and/or procedural problems by employees or precinct workers during the conduct of the election?

Resolution Steps:

1. Like many counties we experienced a loss of poll workers in the days leading up to Election Day and on Election Day. However, we were able to ensure all polling locations were adequately staffed using stand-by workers and reallocating others.

Part 11 – Did you experience any additional issues associated with the conduct of the election?

Resolution Steps:

1. Five precincts experienced a voter who after receiving their ballot did not complete the voting process. The ballot was handled pursuant to procedure outlined in the poll worker manual. (Same as Part 7 (2) above.)
2. A person identifying herself as an "election protection attorney" visited two polling locations and told the clerk she was there to observe the process, answer questions and provide voting information to the workers. She was not an approved poll watcher and was asked to leave and told by elections staff that it was illegal for her to enter a polling place. The Supervisor of Elections attempted to reach the individual by phone and left a message indicating to the person that they did not have authority to enter any polling places.