



DUVAL COUNTY ELECTION ADVISORY PANEL

MINUTES

January 17, 2024

3:00 p.m.

**Election Operations Center
1 Imeson Park Boulevard**

Attendance: Daniel Henry, Lanelle Philmon, Carmen Martinez, Ray Pringle (Chair - arr. 3:25)

Excused: Austin Kwikkel, Robert Maldonado, Robert Phillips

Absent: Ingrid Montgomery

Also: Jerry Holland and Justin Gicalone - Supervisor of Elections Office; Jeff Clements – City Council Research Division

Panel member Daniel Henry called the meeting to order in the absence of the Chair and Vice Chair at 3:08 p.m. and the attendees introduced themselves for the record.

Approval of Minutes

The minutes of the November 15, 2023 meetings of the Election Advisory Panel were deferred to the next meeting due to lack of a quorum.

Supervisor of Elections update

2024 election preparations: Supervisor Jerry Holland said poll worker training started yesterday and continues through mid-February and can be extended if need be. The poll worker handbook is available online to trainees. He distributed copies of the 2024 election calendar with all the important election-related dates. The new DS300 tabulators and ExpressVote machines have been received and are in the testing phase and new EVID (Electronic Voter ID machine) updates have taken place. There will be very few voter registration events in the run-up to the March election while employees are busy preparing for election day. He noted that an individual can assist others with voter registration in some ways without being part of an official third-party registration organization if they never take possession of a voter's registration form. Part-time staff is increasing by about 80 people for training, IT, and warehouse work for the upcoming elections.

Redistricting: Mr. Holland said there is no update on the 5th Congressional district lawsuit so the 2024 election will take place with the districts as passed by the Legislature while the case progresses to the Florida Supreme Court. The City Council redistricting lawsuit was completed last year so the Council and School Board districts are set. There has been no ruling on the motion to hold new School Board elections immediately in the districts that were affected by the resolution of the City Council redistricting case.

Election Operations Center: the lease for the current Election Operations Center was extended for 2 years effective March 2024 while the search for a new downtown site continues. The Downtown Investment Authority has not agreed with his suggestion to build a new facility on a City-owned lot at Union and Davis Streets. The lease extension on the current site was the last available extension before a new RFP must be issued for potential offers. The SOE has looked at the state's Fuller Warren Building at Market and Adams Street, which is not large enough to accommodate the entire SOE operation so it would be necessary to keep the current building on Monroe Street. Daniel Henry asked if a SOE building was included in the City's latest Capital Improvement Plan; Mr. Holland said currently it is not. He estimates a new election operations center would cost in the range of \$12-20M, depending on whether it is new construction or retrofit of an existing building. He would also be open to looking at a public-private partnership for a site with a long-term lease-to-own arrangement.

State election-related legislation: Mr. Holland said that members of the Duval Legislative Delegation (Rep. Kim Daniels - House, Sen. Clay Yarborough - Senate) have filed bills allowing expansion of early voting "wild card" sites (non-government buildings) to 3 additional sites if there are no government buildings available within 10 miles. He said public building construction typically lags population growth unlike private buildings that react much quicker to growth trends. They have also filed another bill to require that election workers consist of least one registered Democrat and one registered Republican in every precinct for the sake of fairness. The SOE pays \$100 extra for precinct workers to work outside of their council district in order to get dual-party coverage everywhere in the city. Mr. Holland said he got a State Division of Elections opinion saying that the poll workers can't all be from the same party but the opinion doesn't specify that they have to represent the two major parties (Republican and Democrat), meaning they could be registered as NPA (no party affiliation) or another minor party.

Mr. Henry asked for confirmation that SOE staff would be stationed at former polling sites to direct voters unaware of precinct changes to their new site. Mr. Holland said that is his intention, but it will be contingent on getting enough workers trained to adequately staff all the polling sites. Mr. Henry asked about the BallotTrax system discussed at a previous meeting. Justin Gicalone, Deputy Supervisor of Elections, said the system tracks the location of a vote-by-mail ballot from the time it is sent out by the SOE to the time it is returned to the SOE using U.S. Postal Service tracking data. The voter would have to provide the SOE with some form of contact information (email, phone number). Mr. Gicalone said use of that system is not in the current year's budget and his office has heard from two other companies that offer a similar service so a procurement process to obtain that service would need to be competitive since there are multiple providers in the marketplace. Mr. Holland said the City's budget process starts in February or March, so they will need to make a decision soon and get some price estimates for that product if they want to procure it in the next fiscal year,

Carmen Martinez asked about the Clear Ballot voting system that takes a photo of every ballot cast, which some counties use for security and verification purposes. Mr. Holland said he understands that if that system is used, election officials don't have to do a post-election manual over/under recount for very close elections. He said it is a tabulator that takes photos of ballots that are preserved, unlike the other tabulators that take temporary images of ballots just for counting purposes which are then immediately deleted. Mr. Holland said the images currently taken for tabulation purposes are not considered public records because the SOE keeps the voter's original marked paper ballot, which is the record.

Daniel Henry asked if the Florida Supervisors of Elections Association has made any specific legislative requests to the Florida Legislature for this session. Mr. Holland said they made one request for a statutory change to make the addresses of poll workers and temporary election workers (not SOE employees) exempt from public disclosure.

Lanelle Philmon said she is a poll manager and she appreciates the good communication from the SOE office to poll workers about getting ready for the March presidential primary election. She asked how many new voter information cards are being sent out; Mr. Holland said approximately 638,000 to all registered voters. Undeliverable mail is returned, which is about 10% of the total mailed or 60,000 returns. Forwardable mail is then sent on to the last known address in hopes it will follow the voter, which starts the clock on the process of a voter becoming declared an ineligible for failure to vote in 2 consecutive federal elections, meaning they would have to re-register to become eligible. The new information cards came with a reminder notice about re-registering for vote-by-mail and they have been getting new requests as a result. Ms. Philmon asked if there were any actions being taken to increase public understanding of and confidence in the electoral system. Mr. Holland said his staff hosts tours of the Operation Center and he speaks to groups all the time about elections whenever he's asked. As much as he and his staff can do, some voters will always not get the information and will be confused on election day.

Chairman Pringle echoed Mr. Holland's earlier comments about government facilities lagging growth patterns and said that is definitely a problem in the Dinsmore area where he lives. He has to drive past 2 other precincts to get to his assigned voting precinct. He asked what could help get ahead of that problem. Mr. Holland said the SOE could increase the number of precincts under the court settlement regarding equalization of precincts (going from a range of 10-12 to 11-13 per council district). Government building improvements just seem to take forever to accomplish. Mr. Holland said the SOE is willing to look at any suggestion someone makes about potential voting sites. He plans to expand early voting to the Oceanway Library when that eventually gets built. When the City doesn't keep up with growth, areas get completely built out and then there's no room left to build needed public facilities.

Old Business

None

New Business

Carmen Martinez asked Mr. Holland for his thoughts about several items of new election-related legislation introduced in the Florida Legislature. She said HB 359 would prohibit the state from approving for use any voting systems, equipment or software programs produced in foreign countries and would require that certain voting system information be made available for public review 3 months before election. The bill would also allow counties to do hand counts of ballots during the normal tabulation in addition to the required machine counts. Mr. Henry said that practice would invite challenges based on human impact on the counting process. Mr. Holland said the hand count methodology proposal is based on the model used in France for their presidential election which has only 1 race on the ballot, 1,000 voters per precinct, and pre-printed cards for each candidate instead of voters marking blank ballots. That method would be impractical in Jacksonville with the number of races on the ballot, the number of precincts needed to meet the 1,000-voter cap, and the number of staff who would be needed to do the work. He said accuracy is the most important factor in running elections and machine counters are much better than human counting since the advent of modern scanning tabulators. The length of time it takes to do hand counts, especially in hotly contested elections, undermines public confidence in the electoral process and allows conspiracy theories to flourish. He said that system would need to have the hand counts done twice, once by each party, so that will take even more time. Mr. Holland said that, with regard to the "made in America" requirement in the proposed law, no machines with computer chips would meet that requirement because almost all chips are manufactured overseas. Ms. Martinez said the public's non-confidence with electronic voting comes from the fact that the programming of the machines is all done with proprietary software and can't be examined for accuracy. Mr. Holland said Jacksonville has voter-marked paper ballots and the results are transmitted to the Election Operations Center in 4 ways: via a virtual private network (VPN) that is connected to the internet only momentarily for the length of time it takes the results to transmit; on thumb drives hand-carried to the center by police

officers; and via printouts of vote tallies from each precinct delivered to the Operations Center. The accumulated results are separately loaded onto a thumb drive and then transmitted to Tallahassee while simultaneously being published on the SOE website. There are multiple places where the votes are reported so any discrepancy in the accumulated tallies from the precinct level to the county level, the county level to a regional level (i.e. for a multi-county judicial circuit or House or Senate district), or county level to the state level another would be obvious and trigger further action.

Ms. Martinez said there's another bill pending in Tallahassee that would require all counties to follow the same procedures Jacksonville does with its ballot drop boxes being supervised and located only at early voting sites. She said there is another bill that, in part, deals with voter roll clean-up and asked how the rolls are maintained in Jacksonville. Mr. Holland said voter roll maintenance takes place on a daily basis as communication is received from voters or their relatives about moves, deaths, etc. The state provides information on deaths, on duplicate registrations, and on felony convictions. Returned mail identifies voters who have moved without updating their addresses. Ms. Martinez said she understands most fraudulent registrations come from registrations done by mail. Mr. Holland said there's a difference between fake voters who create a completely new "ghost" identity and those who register by stealing a real voter's identity. Creating a ghost identity is extremely difficult because they would need to create a valid social security number or a driver's license. Stealing a real voter's identity is less difficult but still requires obtaining lots of private identifying information and then the ability to duplicate the real voter's signature on the application. He said if two votes are cast in the same voter's name, then the duplicate ballots would be flagged and examined. Mr. Holland said the chances of all those factors taking place and escaping detection are extremely miniscule.

Chair's comments

None

Public comment

None

Following the agenda items, the members took a tour of the operations center and viewed the equipment and the flow of operations prior to, on, and following election day.

Next meeting

April 17, 2024

There being no further business, the meeting was adjourned at 4:46 p.m.

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