Florida 2020:
Election Administration in the Coronavirus Pandemic

March 10, 2021

Abstract:

Overall, the 2020 general election went smoothly in Florida and administrators successfully overcame the hurdles the pandemic erected. Canvassing boards counted absentee ballots earlier than in previous years, ensuring that election results were promptly available on election night. Both absentee voting and in-person voting went well, with comparatively low absentee ballot rejection rates, few lines at polling places (except at the start of early voting), sufficient poll workers, and high compliance with mask-wearing requirements for in-person voting. The state experienced challenges, as well, including a last-minute crash of the voter registration website, confusion surrounding a state law that permits former felons to vote after paying court fines and fees, ambiguity regarding the interpretation of rules pertaining to absentee ballot drop boxes, instances of voter intimidation and polling place disturbances, and misinformation regarding voting processes.

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Other Contributors: This memo draws on prior memos published by Stanford-MIT Healthy Elections:

- "[Florida Elections in the Wake of COVID-19,](#)" Mikaela Pyatt, Annie Warnke, Emily Handsel, Jose Gandara (July 22, 2020)
- "[Florida General Election Readiness Memo,](#)" Lane Corrigan, Chasity Hale, Emily Handsel, Mikaela Pyatt (September 28, 2020)
- "[Florida: 2020 Election Policies & Practices,](#)" Christopher Meyer (November 2, 2020).
- "[Signature Verification and Witness Requirements in the 2020 General Election,](#)" Ali Bloomgarden, Arushi Gupta, Garrett Jensen, Zahavah Levine, Chris Middleton, Kyra Sikora (October 28, 2020)
- "[Defining Voter Intimidation: Six Battleground States,](#)" Mathew Simkovits, Amanda Zerbe, Adriana Stephan, Krithika Iyer, Tom Westphal (October 8, 2020)
- "[Poll Worker Recruitment,](#)" Adam Smith, Christopher Wan, Jae Yoon, Aaron Bray, Colette Mayer, Jacob McCall (October 26, 2020)
- "[Mask Rules for In-Person Voting,](#)" Ann Banchoff, Lane Corrigan, Evie Freeman, Mikaela Pyatt, Brooke Bumpers, Craig Smith, Tom Beimers, Kathleen Peterson, Christopher Schott, Olivia Molodanof, Stephanie Biggs, Sheree Kanner, Helen Trilling, James Deal, Mahmud Brifkani, Boyd Jackson (October 25, 2020)

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I.   Introduction

In many ways, Florida's general election was a success story and offered a model for other states. Bolstered by Governor Ron DeSantis' executive order, that permitted election officials to begin counting absentee ballots as soon as their voting machines were ready, county election supervisors were able to provide results promptly after polls closed. A 2019 legislative extension of Florida's ballot curing deadline and broad media coverage of the ballot cure process contributed to low overall rejection rates for absentee ballots. And the prevalence of early voting contributed to a generally manageable in-person election process on Election Day.

However, the state also saw instances of voter intimidation and disturbances at polling places during the election. Election officials combatted misinformation while simultaneously adapting to last-minute changes in state guidance around ballot drop boxes. Mask policies led to confusion and disruption in at least one county. And a last-minute website glitch likely prevented a significant number of individuals from registering to vote. Thus, while Florida's general election was relatively smooth, there were isolated issues.

II.   Key Election Statistics

In the 2020 presidential preference primary election in Florida, turnout was 30.2% of registered voters, a significant drop from 46.2% in the 2016 presidential preference primary election. Floridians cast a total of 2,342,751 votes-by-mail in the 2020 presidential preference primary (78% of the total votes), and a total of 558,430 early votes were cast (19% of the total votes).

Out of the more than 11 million votes cast in Florida in the November 2020 presidential contest, incumbent President Donald Trump won Florida by 371,686 votes, beating former Vice President Joe Biden by 3.3%. Results for other Florida contests are available here. Turnout was 77.2% of registered voters, an increase from 74.5% turnout for the 2016 general election. A total of 4,855,677 votes were cast by mail (44%) and 4,332,221 early votes in person were cast (39% of the total votes). 77,400 voters voted in other races but did not cast a vote in the presidential contest (either by choosing no candidate for president, choosing more than one candidate for president, or writing in the name of someone who was not a valid write-in candidate).

III.   Background

A. Electoral Structure and Early Rule Changes

Rather than being run by a single centralized agency, Florida's elections are largely operated at the county level by county election supervisors, informed by guidance from the secretary of state. Secretary of State Lauren M. Lee and Governor Ron DeSantis are Florida's most senior officers in election administration, but there is also a Florida Supervisors of Election (FSE), a "professional membership organization representing the Supervisors of Elections (SOEs) of Florida's 67 counties." Hillsborough County Supervisor of Elections Craig Latimer took over as FSE president on May 11, 2020.

County SOEs are the primary election administrators for each jurisdiction. Each county has its own website, where Floridians can "register to vote, request an absentee ballot, check important dates for local elections, and [find] more details on voting." Each of Florida's 67 counties has a county canvassing board that is generally composed of three members: the county SOE, a county court judge who acts as the chair, and the chair of the board of county commissioners. Canvassing boards have important duties, such as determining whether to count or reject vote-by-mail (VBM) ballots (e.g., signature mismatch) and certifying election results.

As a result of a 2019 preliminary injunction and subsequent rule change by the Florida Division of Elections, the 2020 election cycle was the first for which all Florida counties had to produce balloting materials in Spanish. Many counties had to use a second ballot card in the general election to accommodate both languages. Although most counties opted for bilingual ballots, a handful chose to use unilingual ballots in November. The litigation responsible for the rule change was settled in early 2021.

B. Absentee Ballots

Except on Election Day, no excuse is needed to use a vote-by-mail ballot in Florida. Although Florida describes its system as "vote-by-mail," the only mail option provided by state law is absentee balloting, so voters must apply for a mail ballot before election officials can send it to them. The law requires election officials to send ballots to all domestic voters who request mail ballots for the presidential primary, state primary, and general elections during a specified timeframe before the relevant election. For domestic voters, SOEs send the ballots during the seven-day window between 40 and 33 days before an election. However, voters can still

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request a vote-by-mail ballot up to 10 days before the election, and SOEs must mail such ballots to voters no later than eight days before the election.

A VBM ballot must be received by the SOE's office no later than 7 p.m. on Election Day. However, VBM ballots from overseas voters that are postmarked or dated by Election Day can be counted if they are received no later than 10 days after the election. Per state law, officials can start processing absentee ballots 22 days before Election Day (Fla. Stat. §101.68(2)(a)).

Florida voters must sign their absentee ballots. A county supervisor of elections is required to send a cure affidavit (Form DS-DE 139) by first-class mail to any voter who returns a VBM ballot certificate that does not include the voter's signature or whose signature does not match the signature on file for that voter. The supervisor is also required to notify the voter of the signature deficiency by email, text message, or telephone, direct the voter to the cure affidavit, and provide instructions on the supervisor's website (Fla. Stat. §101.68(4)(a)(1-3)). Starting on the day before the election, the supervisor is not required to notify the voter of a signature deficiency by first-class mail but must provide notice by email, text message, or telephone call (Fla. Stat. §101.68(4)(a)).

Enacted in 2019, a new law extended Florida's deadline for voters to cure mismatched or missing signatures from the prior deadline of 5 p.m. the day before the election (Fla. Stat. §101.68(4)(a)) to 5 p.m. on the second day after Election Day (Fla. Stat. §101.68(3)(b)). Additionally, in 2019, the state began providing a signature verification and matching training program to supervisors of election and county canvassing board members (Fla. Stat. § 97.012(17)). Also, in 2019, a change in Florida law requested that voters list their email and mobile phone numbers on their absentee ballot envelopes for use by election officials for cure purposes. This change, while voluntary, raised security concerns for some voters.

Florida law also allows for the establishment of secure drop boxes to return absentee ballots. The law states that these "secure boxes" "shall be placed at the main office of the supervisor, at each branch office of the supervisor, and at each early voting site." Fla. Stat. §101.69(2). These boxes "may" also be placed at other early voting sites, as long as the site is "staffed during the county's early voting hours by an employee of the supervisor's office or a sworn law enforcement officer." Fla. Stat. §101.69(2). Last-minute disagreement concerning the proper interpretation of this rule, between the general counsels for the Florida Department of State and Florida Supervisors of Elections Association, created confusion in the days leading up to the general election.

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C. Early Voting

The statewide in-person early voting period in Florida began on October 24 and ended on October 31. However, a county's supervisor of elections had the authority to extend the early voting period to the second day before the election (November 1), as well as 15 days before the election (October 19) if the supervisor saw fit. Several counties opted to begin early voting on the first legal date. Many counties opted to extend the early voting period through November 1: Bay, Bradford, Brower, Charlotte, Duval, Gadsden, Gulf, Hillsborough, Leon, Manatee, Miami-Dade, Orange, Osceola, Palm Beach, Pinellas, Polk, Sarasota, Seminole, St. Lucie, Suwannee, Taylor, and Volusia.

D. Voter Intimidation

Florida state statutes provide a detailed list of actions that can be categorized as felony voter intimidation. Under Fl. §104.0615, it is a felony for any person to directly or indirectly use or threaten to use force, violence, or intimidation to induce someone else to:

- Vote or refrain from voting altogether or for a specific candidate or measure;
- Register to vote;
- Become a poll worker or poll watcher; or
- Challenge a person's right to vote.

Additionally, Florida has a number of laws that may tangentially cover intimidating conduct at the polls. These include laws banning photography (apart from a voter taking a picture of their own ballot) and banning electioneering within 150 feet of polling locations. Election supervisors and clerks are tasked with enforcing order at polling locations and may take any "reasonable steps" necessary to ensure that order, including having law enforcement remove any disruptive or unruly people.

In recent years, incidents of voter intimidation in Florida have repeatedly been identified. During early voting for the presidential election in 2016, the Lawyers' Committee for Civil Rights Under Law claimed it received reports from Miami-Dade County, Jacksonville, and Hollywood about aggressive behavior causing voters to leave the polls without voting. During the 2018 midterms, racist robocalls were directed at voters in an attempt to dissuade them from supporting Black gubernatorial candidate Andrew Gillum. These calls used derogatory and offensive language to disparage Gillum and his policies. The calls were ultimately tied to a white supremacy group in Iowa. Further, in February 2019, robocalls falsely claiming to be from the Palm Beach County Supervisor of Elections Office warned voters about the penalties of

vote-by-mail fraud. While the county election supervisor reported the incidents to the state attorney general, citing their potential to "frighten and intimidate voters," it is unclear if any tangible outcomes resulted from the investigation. This pattern of voter intimidation in Florida continued in 2020, with voters and election officials reporting harassment and threats at various polling locations (described in additional detail below).

E. Measures to Adapt to COVID-19

To address the impact of the coronavirus pandemic on election administration in Florida, Governor DeSantis—under pressure from local election officials—issued an executive order on June 17, which:

- Allowed county canvassing boards to begin canvassing absentee ballots earlier than 22 days before the election.
- Encouraged state employees to become poll workers by allowing them administrative leave for training and working as poll workers.
- Directed the Division of Emergency Management to work with local officials and SOEs to provide personal protective equipment (PPE), hand sanitizer, and cleaning products to facilitate safe in-person voting.
- Encouraged each superintendent of schools to close K-12 schools on August 18 and November 3 so that the school buildings could be used as polling locations.
- Encouraged SOEs to provide timely notice to the public regarding changes in polling locations or procedures.

This executive order allowed Florida to begin counting its absentee ballots immediately in both the August primary and general election, unlike many other battleground states.

F. Florida's Performance During the Primaries

For the most part, there was a sense among local elections officials that Florida's "primary elections went smoothly," as no major election administration issues arose. Florida's presidential primary was held March 17, roughly 2 weeks after the first coronavirus cases were reported in Florida but before DeSantis issued an executive order restricting non-essential activities on April 1. Florida's August 18 primary election (for U.S. House seats) saw record-high primary turnout and absentee ballots. More than 28% of Florida voters cast ballots in the August 18 primary, making it the highest state turnout in 18 years and beating the 2016 primary turnout by almost one million votes. The more than 2.3 million absentee ballots submitted represented 60% of all votes cast in the primary.

There were relatively few reports of shortages of poll workers in the August primaries. However, the South Florida Sun Sentinel [wrote](#) that, according to Palm Beach County's Supervisor of Elections Wendy Link, "about 100 Palm Beach County poll workers canceled . . . because they showed symptoms of COVID-19 or flu-like illnesses." Similarly, weeks before the August primary, WINK News reported that [Lee County](#) in southwest Florida was "down about a thousand poll workers," forcing the county to reduce the number of polling locations from 125 to 96.

There was also some confusion around polling places, particularly in Broward County. According to [news reports](#), unpublicized polling place closures and location changes created [confusion](#), with "voters bouncing from location to location and seeking drop boxes for their vote-by-mail ballots, only to find their voting precinct had been combined with another, closed due to COVID-19, or was simply an early voting site that was never meant to be open on Election Day at all."

IV.   Florida's General Election Administration

A. Pre-Election Issues

Two significant events occurred just prior to the start of early voting for the general election in Florida. First, Florida's voter registration website crashed on the final day of registration, leading to difficulty registering for some voters and prompting some litigation. Second, a last-minute push by the state to remove felons from voter rolls in the wake of litigation created confusion and controversy in the state.

Registration

Florida voters may register up to 29 days before the election, making October 5 the deadline for registration for the November 3, 2020, general election. But on the last day of voter registration, the state's registration website [crashed](#) as it began receiving more than a million hits an hour. State officials subsequently [extended](#) the deadline to 7 p.m. on October 6, but a federal judge [denied a request](#) from voting rights groups for an injunction to extend the deadline further. In his decision, Judge Mark E. Walker [noted](#) that "a significant number of voters were barred from registering even with the extension" but that there were no exceptional circumstances to justify granting the injunction.

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Amendment 4

In 2018, Florida voters passed Amendment 4, which allowed former felons to register to vote as long as they had completed "all terms of [their] sentence." Shortly thereafter, the Florida legislature passed a law including payment of court fines and fees within the definition of "terms of sentence." The Eleventh Circuit U.S. Court of Appeals upheld the Florida law in September 2020. However, the state had no centralized process for letting former felons know how much they owed or for tracking whether felons had paid their fines or fees. In October 2020, a group that pushed for Amendment 4 reported that approximately 87,000 ex-felons had registered to vote in the 2020 election and an estimated 37,000 successfully voted early.

In Florida, local election supervisors add and remove voters from the rolls, but the state reviews records to determine whether a registered voter is eligible. According to Politico, on October 13, the director of Florida's Division of Elections distributed an announcement to Florida's 67 local election supervisors, alerting them that they would "begin to see" files on registered voters "whose potential ineligibility is based on not having satisfied the legal financial obligations of their sentence." (In other words, Florida's elections director alerted local officials that they would soon need to review files of voters possibly ineligible to vote due to failure to pay required fees.) However, the process of removing a voter from the rolls takes at least 30 days—since a voter has 30 days to respond upon written notice of potential ineligibility. The process can take up to two months, leading election supervisors to comment that this directive from the state came with insufficient lead time to remove ineligible voters from voter rolls before the election.

As of December 2020, fewer than 100 files of formerly incarcerated individuals who appeared to be ineligible because they had not paid fines or fees had been sent by the Florida Department of State to local election officials for further review. The files sent for review represented a small proportion of the thousands of formerly incarcerated individuals who had registered to vote for the November 2020 election. The lack of a centralized tracking system for fines and fees complicated the process, and removing ineligible people from voter rolls was ongoing at the time of the 2020 election. Thus, some potentially ineligible formerly incarcerated individuals could have voted in November without knowing they were ineligible. Such individuals are at risk of felony charges if they voted while ineligible and could be at risk of being removed from the voter rolls in future years. An analysis of state records by the Tampa Bay Times, Miami Herald, and ProPublica suggested that fewer than 8% of Florida's felons had registered to vote as of October 2020, a much lower rate than in other states with similar laws to restore felons' voting rights.

B. Absentee Voting

In general, absentee voting went smoothly in Florida during the 2020 general election. Rejection rates fell in comparison to previous years, as did the number of mail-in ballots received after the deadline, despite issues with the U.S. Postal Service in the days leading up to the election. Though drop boxes were widely used by voters, last-minute changes in state policy led to confusion. Disagreement over what kind of monitoring of ballot drop boxes was required by state law was not fully resolved during the 2020 election cycle.

The proportion of absentee ballots to all ballots cast by Florida voters increased from 2016 to 2020. In the 2020 general election, 4,855,677 ballots were "vote by mail"—43.6% of 11,144,855 total votes. By contrast, in the 2016 general election, 2,732,075 votes were cast absentee—a mere 28.5% of a total of 9,580,489 votes cast. In other words, Florida's election infrastructure in 2020 had to accommodate nearly double the number of vote-by-mail ballots it processed in 2016.

Despite the increased use of vote-by-mail ballots, rejection rates in Florida decreased in the general election. The New York Times reported that, as of November 2, 2020—three days before the deadline to "cure" ballots that had been rejected by state officials (Fla. Stat. §101.68(3)(b))—the state had rejected 14,072 ballots (0.3%), a decrease from 2018, when approximately 32,000 ballots were rejected (1.3%). The Times stated that two-thirds of the rejections were due to a missing signature. (As another point of comparison, about 18,000 absentee ballots were rejected during the 2020 presidential primary election.) A subsequent article published by ABC Action News reported slightly different findings, based on election data provided by 62 of Florida's 67 election supervisors. While this article stated that at least 14,000 votes had been rejected, it estimated that only about half of these ballots were rejected due to signature issues. Then, in late November, a political scientist who studies state elections estimated that only about 12,000 votes had been rejected (including only ballots with signature issues or other technical issues in this number, not late ballots or undeliverable ones). A political scientist at the University of Florida estimated at the end of December 2020 that fewer than 9,000 ballots had been rejected. As of November 27, 2020, counties were still reporting their final numbers, so rejection rates could only be estimated.

One election expert at the University of Florida attributed the decreased rejection rate to the increased rate of voters "curing" their ballots. Seminole County Elections Supervisor Chris Anderson suggested the rate might be falling because of a 2019 law that (1) allowed voters to include their phone number and email on their absentee envelopes so that elections officials could readily contact them; and (2) extended the deadline for ballot curing until the Thursday

following Election Day. In addition, widespread public information campaigns emphasizing the notice and cure process likely contributed to low rejection rates.

Historically, studies have shown that absentee ballots cast by minority voters are disproportionately likely to be rejected in Florida. This appears to have remained the case in 2020: In Broward, Palm Beach, and Miami-Dade counties, Black voters' ballots were rejected at twice the rate of white voters' ballots, and Hispanic voters' ballots were rejected at even higher rates.

Litigation

In the months leading up to the general election, a number of lawsuits related to absentee ballots were brought in Florida:

- In *1199 SEIU United Healthcare Workers East v. DeJoy*, filed in October, a large local union of healthcare workers sued U.S. Postmaster General Louis DeJoy, alleging that his policy changes at the U.S. Postal Service were unlawful and inconsistent with federal statutes. On November 2, U.S. District Court Judge Robert Scola Jr. granted the plaintiff union's request for updates, certifying that all ballots at specific mail facilities had been processed in a timely manner. The judge also ordered the U.S. Postal Service to use whatever means necessary to ensure that ballots arrived to election officials in time to be counted.
- In *Grimes v. Florida Department of State*, three Florida voters asked a state court to send mail-in ballots to every registered voter in the state for both the August primary and the November general elections. The case was ultimately dismissed with prejudice by the court.
- In *Nielsen v. DeSantis*, plaintiffs alleged that Florida's failure to provide prepaid postage for its ballot return envelopes disenfranchised citizens who were elderly, had low incomes or disabilities, and student voters, because these persons may be at higher risk for developing COVID-19 (the disease caused by coronavirus) or unable to afford postage. The suit also alleged that individuals with disabilities did not have access to vote-by-mail ballots that accommodated their disabilities and that voters with low incomes were unable to obtain vote-by-mail paper applications due to lack of access to the internet and printers. The case ultimately settled, with the state required to pilot new technology to help voters with disabilities vote in five Florida counties and to implement some education requirements to make voters and election officials aware of their voting options.

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While *Grimes* and *1199 SEIU United Healthcare Workers* ultimately had little impact on absentee voting policies in the 2020 election, *Nielsen* resulted in the [Accessible Vote-By-Mail Pilot Project](#). The project, which rolled out in Orange, Miami-Dade, Pinellas, Nassau, and Volusia counties, provided an absentee voting option to voters who were blind, had visual impairments, or had mobility issues. The option employed a secure online portal, also used by the military, to [send](#) a digital ballot to voters requesting an absentee ballot. The digital ballot allowed voters with disabilities to privately mark their ballots on their computers by magnifying the text for themselves, by having it read aloud to them, or by navigating it through voice command. When finished, the voter could send the ballot back to the elections office using a standard vote-by-mail envelope. The terms of the settlement reached in *Nielsen* will [require](#) all counties across Florida to offer the digital absentee ballot to voters with disabilities before 2022.

Mailing Ballots

Some election mail in Florida was delayed due to postal issues. On October 30, agents with the U.S. Postal Service's Office of the Inspector General [discovered](#) 42 absentee ballots that had not yet been delivered to their voters and six filled-out absentee ballots sitting in a [backlogged](#) post office in south Miami-Dade County for more than a week. The backlog had first been [reported](#) over a week earlier, on Wednesday, October 21. Residents of the area complained that problems with mail delivery, including ballot delivery, had been [occurring](#) for months. Investigators subsequently [did a sweep of](#) other post offices in the county for any election mail that had not yet been delivered. And many supervisors of elections started [going](#) to the postal distribution centers to pick up ballots, rather than waiting for the Postal Service to deliver them.

Such incidents, and broader [problems](#) with the postal service over the summer, prompted concern that delays in postal service delivery would lead to ballots arriving to election officials after Florida's 7 p.m. Election Day deadline. Florida postal delivery times were [slower](#) than the national average. (As early as October 27, Florida Secretary of State Laurel Lee [recommended](#) on Twitter that voters drop off their ballots rather than mailing them.)

Despite the concerns over postal delays, in general, fewer mail-in ballots arrived late than in previous years. As of November 16, [only 647 ballots](#) in Miami-Dade County had arrived after the deadline. In the August primary, more than seven times that number of ballots arrived in Miami-Dade after the deadline (a total of 4,691), even though 250,000 more mail-in ballots were cast in the general election than were cast in the August primary. In Florida's fourth-largest county, Hillsborough, [only 383 ballots](#) were received after November 3, compared to 2,450 ballots arriving late in the August primary. Duval County similarly [identified](#) only 280 late ballots in November, approximately half of the nearly 600 late ballots in the 2016 general election.

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STANFORD-MIT HEALTHY ELECTIONS PROJECT

Ballot Drop Boxes

Ballot drop boxes were used widely and extensively in Florida's general election. As of October 16, an estimated [50 out of Florida's 67 precincts](#) planned to use ballot drop boxes for the general election. In the first days of early voting, [tens of thousands](#) of Florida voters dropped off their ballots at the drop boxes. In Miami-Dade County, 27,765 ballots [were dropped off](#) by the end of the first day of early voting—more ballots than were dropped off in the entire August primary.

Late guidance from the state regarding drop boxes created some confusion among election officials. On October 14, the Florida Department of State's general counsel emailed Florida's supervisors of elections [with updated guidance](#) on how ballot drop boxes were to be maintained and staffed. According to the general counsel's interpretation of state law, which [requires](#) ballot drop boxes to be "secure," ballot drop boxes had to be [staffed](#) by either an election official or a law enforcement officer at all times they were being used. In his view, while some 24-hour drop boxes were permissible—if staffed—they were [allowed only at certain locations](#). Otherwise, drop boxes were [required to be available for early voting hours only](#). The memo also [stated](#) that drop boxes could not be placed at polling sites on Election Day.

The guidance was given [only days](#) before the start of early voting, after two million people had already voted by mail. However, because the guidance was not legally binding on supervisors, the supervisors could opt to disregard it—and supervisors in both Pinellas and Bradford counties did just that. The general counsel of the Florida Supervisors of Elections Association openly disagreed with the state, [telling his clients](#) that state law did not require in-person monitoring of drop boxes. (Some counties had [planned](#) to monitor drop boxes using security cameras).

But some counties adjusted their plans to follow the Department of State's recommendation. Alachua County quickly [found security](#) personnel to guard drop boxes. After the Brevard County supervisor of elections learned of the state's guidance, and heard of incidents in other states where drop boxes had been set on fire or damaged, she [decided](#) to post security guards around the clock near the four drop boxes located at places other than early voting sites. (While the guards [were](#) armed for the first day they were posted, the following day they were instructed to be unarmed, to avoid potential voter intimidation.)

Otherwise, there were few apparent issues with ballot drop boxes. Some South Florida voters were confused about when the drop boxes would first become available and [attempted](#) to drop off ballots at the boxes before early voting began. One ballot was left in a library depository by

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mistake. In response, the Palm Beach County election supervisor posted signs at early voting sites, notifying voters that drop boxes were not available until the beginning of early voting.

Voting rights groups also reported concerns that there was considerable variation in the appearance of the drop boxes in Florida. After the election, some of these groups suggested that the system could be improved by a standardized statewide design.

Palm Beach County used CARES Act funding to lease vans clearly marked with the official election supervisor's insignia where voters could submit their absentee ballots. The vans were parked at 17 out of 18 early voting sites in the county and an additional eight sites throughout the county.

Logistical Issues

Some voters in Polk County reported that the return envelopes they received for mailing back their absentee ballots were already sealed—likely due to the humid climate. Voters in Seminole County had the same problem. Replacement envelopes were available for these voters upon request.

C. In-Person Voting

In general, in-person voting went smoothly in Florida, with sufficient poll workers to meet staffing needs and precautions in place to prevent the spread of the coronavirus. The main issues around in-person voting in the state included voter intimidation, polling place disruption, and some confusion over mask policies. While lines were long at some locations on the first days of early voting, there appeared to have been enough polling locations across the state to accommodate these voters.

6,289,178 ballots out of 11,144,855 total ballots[1] were cast in person in Florida in the 2020 general election, comprising approximately 56.4 percent of the votes. By comparison, in 2016, a total of 6,848,414 votes were cast in person out of a total of 9,580,489 votes (or approximately 72 percent of total votes).[2] Thus, while the number of votes cast in the 2020 election was considerably greater than the number cast in 2016 (11.1 million versus 9.6 million) and the proportion of votes cast in person decreased in (from 72% in 2016 to 56% in 2020), the absolute number of votes cast in person in 2020 was similar to the in person votes cast in 2016.

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[1] This was calculated by subtracting the total mail-in ballots from the total ballots cast.
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Poll Workers

In the March presidential primaries, when the pandemic had just begun to emerge in the United States, many poll workers dropped out at the last minute. In Florida's August primary election, some counties faced poll worker shortages. But in the general election, the state seemed to have secured sufficient poll workers. Partly in response to the early shortages, Governor DeSantis offered state employees two days of administrative leave to serve as poll workers and encouraged county governments to do the same for local officials. Power the Polls, a nationwide initiative organized in 2020 to solve poll worker shortages because of the pandemic, recruited potential poll workers in collaboration with their state partners, America Votes and Florida Voices. Just over 60,000 people in Florida signed up to be poll workers through the Power the Polls website, 8,789 of which were in Broward County.

In Florida, counties are in charge of recruiting poll workers and setting their pay and training requirements. To secure enough poll workers, Palm Beach County offered potential poll workers a supplemental financial incentive, in addition to regular pay. Sumter County also had an "adopt-a-precinct" program, to encourage local clubs and organizations to organize their members to serve as poll workers in return for a contribution to support their fundraising goals.

Martin County built a "Work the Polls" video that various colleges displayed on their websites and distributed to their students. The county also asked various college professors to help recruit students. One such professor, Robert Farley, a history professor at Indian River State College, recruited 23 of his students to work the polls. The program coordinators in Martin County also sent emails and text messages to all eligible students, held voter registration drives on school campuses, and visited classrooms to present information and answer questions about working the polls.

By September, Florida counties reported that they expected to have enough workers for the general election. In Hillsborough County, the county supervisor had double the number of poll workers needed.

In Orange, Lake, Osceola, and Seminole counties, poll workers were trained to deal with unrest at the polls, supplementing the annual poll worker training already mandated by the state. Some prospective poll workers ultimately decided not to work the polls, feeling inadequately protected from violence and coronavirus exposure since, in many locations, voters were not required to wear a mask.

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Election Safety and COVID-19

At the time of the election, there was no statewide mandate to wear a mask in Florida, but several county and city governments established mask requirements through local ordinances. On October 7, 2020, NPR reported that Governor DeSantis declared that local officials could issue mask requirements but that they lacked authority to enforce them with fines or other penalties. Numerous supervisors of elections in Florida counties stated prior to the election that they would not require voters to wear masks when voting. Supervisors of elections for Broward, Duval, Hillsborough, Lee, Orange, Pinellas, and Polk Counties said they would allow persons without a mask to vote. Officials in Miami-Dade County, by contrast, stated that the county would require voters who refused to wear a mask to fill out a ballot in a dedicated area outside the polling place.

In Broward County, multiple mask policies led to some confusion about whether unmasked individuals would be allowed to vote. The county's Emergency Order 20-27 , issued on September 30, 2020, required facial coverings when people left their homes and could not be socially distant from others, and it did not include an expressed exception for voting. Nevertheless, county election Supervisor Pete Antonacci stated that people would not be turned away from polling places, if they did not wear a mask. Following pushback from concerned county commissioners, Antonacci issued a "trespass affidavit." The affidavit authorized police agencies to remove people from polling sites if they violated coronavirus safety restrictions—including the county mask order—without first contacting the property owner or legal occupant of the space (which would normally be required).

Confusion ensued on the first day of early voting, when four unmasked voters were asked by poll workers to leave; after the voters refused to do so, poll workers called police. The responding officers initially explained to the voters that they needed to leave the site. Then, the Broward Supervisor of Elections' office sent a message, stating that unmasked voters could vote, and the four individuals were allowed to vote. But confusion lingered over the mask requirement, with some law enforcement agencies stating that voters would be allowed to vote without masks, while the Broward Supervisor of Elections' office stated that masks were required in order to vote. According to an elections spokesperson, the four individuals who refused to wear masks on the first day of early voting were the only people out of 364,000 early voters in Broward County to refuse to wear masks when poll workers requested that they do so.

Some early voters experienced long lines during the first two days of early voting, with voters in some precincts waiting up to three hours. Turnout broke records for the first day of early voting in Hillsborough, Pinellas, and Miami-Dade counties. Turnout in Broward County on the first day

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of early voting was [higher](#) than election officials expected, given the vote-by-mail ballots already cast, and lines were occasionally over an hour long. In Escambia County, voters [waited](#) approximately two hours on the first day of voting at one early voting location. And in Leon County, while some lines moved quickly, one voter [reported](#) having to wait two hours. According to responses to the [Survey of the Performance of American Elections](#), Florida wait times averaged 18.7 minutes across the early voting period and 16.5 minutes on Election Day—both figures were slightly below the national average and up from 2016 wait times in Florida.

Florida counties adopted several approaches to manage and reduce long lines of citizens waiting to cast their votes. Several Florida counties listed wait times for various early voting locations on their websites. The Osceola County Supervisor of Elections [created](#) a website page where voters could view the distance from their location to each early voting location and the approximate wait time at each voting site. When a line began to form, election workers handed voters arriving at the location a slip of paper with the time listed on it. When the voters reached the front of the line, they handed the slip of paper to the poll workers who entered it into a computer and updated the wait time. Wait times for all early voting sites in [Miami-Dade County](#) and [Broward County](#) were also posted online. In early October, Palm Beach County [announced](#) that it would invest in technology that would enable voters to check in while in line, shortening wait times.

Florida election officials took a number of other precautions to prevent the spread of the coronavirus. [Officials in Miami-Dade](#) provided poll workers with face shields, masks, and disposable gloves; required voters to use hand sanitizer as they entered and exited the voting location; and, provided access to bathrooms for hand-washing. [Palm Beach County](#) used laminated secrecy sleeves to facilitate cleaning, made gloves and masks available to voters, and gave voters single-use pens to cast their votes. Brevard County went further, [using](#) disposable items for each voter, including pens, styluses, and privacy sleeves, rather than reusing the same items for multiple voters. And St. Petersburg, in Pinellas County, [offered](#) a drive-through ballot drop-off option during the early voting period to voters who did not feel comfortable exiting their cars.

When an election worker in Brevard County tested positive for the coronavirus at the end of October, an early voting site had to be [shut down temporarily](#), but the county took steps to inform voters of alternate options. Poll workers spent the entire day outside the facility, handing out fliers about alternate voting locations, and the secretary of elections [directed](#) voters to the three closest early voting sites, all of which were less than 10 miles away. Voters interviewed about the closure [stated](#) that they intended to vote despite having to go elsewhere. Election officials also [stated](#) that they did not believe the public had been exposed, crediting the

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county's coronavirus safety protocols— including half-inch ballistic glass present at this particular location—with preventing further infections.

Florida election officials received substantial funding to support adapting their election infrastructure to the pandemic. In the spring, Florida was allocated $20,253,853 in federal funding through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. In accepting the funds, Governor DeSantis wrote that the state would work with local election officials to allocate funds among localities. But the release of these funds was delayed until just weeks before Florida's August primary, forcing some supervisors to spend money allocated for other expenses on coronavirus precautions and adaptations and then submit reimbursement requests.

Much of Florida's available election funding remained unspent by late October. On October 29, the Tallahassee Democrat reported that more than $10 million of the Florida Division of Elections' 2020-2021 budget had not yet been spent.[3] The unspent budget included nearly $6 million in CARES Act funding. According to the Tallahassee Democrat, while 47 counties received $14.3 million in CARES Act funding, 19 counties did not obtain the $5.9 million available to them. These counties included Charlotte, Duval, Palm Beach, and Volusia. While some of these counties could have applied for reimbursement after the election, as of January 2021, there did not appear to be any public information regarding whether they had done so. One election expert also suggested that some of the Division of Elections' 2020-2021 budget might have been kept in reserve for post-election problems and challenges (like audits). Nonetheless, advocates and experts expressed concern following the general election that not all of the available budget was used to protect voters.

Intimidation and Disturbances

Voter intimidation and polling place disturbances caused isolated problems across the state. Though no single entity tracks all of the complaints of voter intimidation in Florida, dozens of these incidents were reported during early voting alone.

Disturbances and incidents of intimidation included the following:

- On October 21, two armed security guards stood with people campaigning for candidates during early voting in downtown St. Petersburg at the Supervisor of Elections' office. The guards were later identified as off-duty security guards who joined

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[3] The Florida secretary of state's spokesperson confirmed that some of this unspent money will be saved for future years.

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Trump supporters after they finished work. According to the county sheriff, the guards were licensed to carry weapons and stood outside of the 150-foot no-electioneering zone. While the county sheriff and mayor disagreed about whether their conduct constituted voter intimidation, the incident prompted the sheriff to post deputies to all of the early voting sites in Pinellas County and use undercover personnel to monitor some polling places. In making his decision, the sheriff noted that the presence of deputies could lead to voter discomfort as well, but stated that he was trying to balance competing concerns.

- In Leon County, a man approached two voters waiting to vote and, after striking up a conversation, told them,"If Biden is elected, there will be bloodshed."
- A Miami police officer was accused on Twitter of voter intimidation when he voted while wearing a Trump mask and his police uniform. The officer was subsequently disciplined for violating his department's policy, and a state attorney said that she intended to look into the case. No charges appeared to have been filed by the state against the officer in the months after the incident.
- A Palm Beach County poll worker stated that volunteers at the site where he worked were "threatened, harassed, taunted, harangued and even physically assaulted" by Trump supporters. The worker said that the supporters used their cars to block access to the polling place, interfered with traffic, blasted train horns from their trucks, chanted a racial slur at a Black precinct supervisor and attacked the supervisor with an umbrella,[4] poked a poll worker repeatedly in the chest, and coughed at and spit on poll workers while not wearing masks. The man also said that the sheriff's office was called "at least a dozen times" throughout the voting period, but one sergeant eventually told him not to call them again, saying that enforcement officials would not return if called. The assistant site supervisor said that 30 or 40 voters who had waited in line for an hour left when a caravan of Trump supporters yelling through bullhorns arrived. When asked by the news outlet The Hill for comment, the Palm Beach County Supervisor of Elections said that the majority of campaign supporters followed the rules, but when incidents did occur, staff reported them quickly and law enforcement responded promptly to defuse the situations. She also said she had sent a reminder to candidates and political parties that intimidation and harassment would not be tolerated. No arrests were made in the county.
- In Jacksonville, Duval County, a voter stated when he told Biden campaigners he was not voting for Biden, they verbally attacked him. He said that he left without voting and returned at a later point to cast his ballot. (The campaigners denied that the incident occurred.)

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[4] The supervisor confirmed this incident in a separate article.

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- On October 22, a man allegedly yelled racial slurs about voters at an early voting site near Fort Lauderdale. Officers arrested the man, who they believed might have suffered from a mental disability.

Many voters in Florida also experienced online harassment. Emails believed to have been sent by Iranian hackers were sent to numerous Florida voters. The sender, posing as the far-right group the Proud Boys, claimed to have the recipient's information and directed them to vote a particular way. For example, one such email—with the subject line "Vote for Trump or else!"—read:

> You are currently registered as a Democrat and we know this because we have gained access into the entire voting infrastructure . . .[y]ou will vote for Trump on Election Day or we will come after you. Change your party affiliation to Republican to let us know you received our message and will comply. We will know which candidate you voted for. I would take this seriously if I were you.

Duval County's chief elections assistant said that the emails constituted voter intimidation. The FBI subsequently launched an investigation in cooperation with state and local law enforcement.

Florida took precautions to guard against voter intimidation before and during voting at both the state and county level. The secretary of state's office hosted a training session with supervisors in October to discuss potential worst-case scenarios and inform supervisors about who to contact in case of disturbances. In Leon County, security stood by at polling sites in case of intimidation. The City of Miami, after receiving emails and messages from concerned individuals, canceled vacation and days off for sworn officers (a category of law enforcement officer) and deployed plainclothes detectives near early voting locations. Alachua County increased patrols around polling stations until Election Day and engaged in greater security planning than in previous years.

Election officials simultaneously contended with a broad range of misinformation about the Florida election, spread by social media. For example, election officials had to debunk a rumor that people are allowed to take pictures of voters casting ballots (they are not). Other individuals wrongly believed that 50,000 lawyers traveled to Florida from other states to observe the process. In Florida, only registered voters in a county can serve as poll watchers there. One viral Facebook post by someone purporting to have been trained as a Florida poll worker wrongly stated that poll workers might write on ballots, thereby invalidating them. However, the post contained inaccuracies which suggested the person had never been trained as a poll worker, and several election officials confirmed that poll workers in their counties were

trained not to mark ballots and do not do so. In addition, Spanish-language misinformation about the presidential candidates was widespread leading up to and even after the election.

A few unanticipated technical and logistical problems also occurred. For example, misprinted paper ballots led to hundreds of ballots being rejected in up to 50 different precincts in Lee County on Election Day. The ballots were counted shortly after Election Day at the main offices, where election officials could program machines to ignore a small black mark that led to the ballots' rejection. In Lake County, a computer glitch led to voters in seven precincts being inaccurately told that they were not registered to vote there. Provisional ballots were issued to voters who could not return after the problem was resolved. And early voting centers in Escambia, Okaloosa, and Santa Rosa counties had to shorten their normal hours on October 28 and October 29 due to the expected arrival of Hurricane Zeta, leading to eight fewer hours of early voting than would normally be offered over that two-day period.

D. Post-Election Developments

Unlike many other states, Florida law allowed election officials to begin counting absentee ballots prior to Election Day—indeed, an executive order allowed county canvassers to begin counting absentee ballots as soon as their tabulation machines were tested. (At least one county also brought in additional help just to count absentee ballots). Accordingly, unlike many other swing states, Florida counties were able to report most results within minutes of poll closure on Election Day, avoiding the uncertainty and unrest that occurred in many other swing states. The speed with which the state was able to report results on election night has caused many (including its own Governor DeSantis) to hold up Florida as a model for other states to follow.

Florida did not need to conduct a statewide recount in 2020, reducing the uncertainty around results. In Florida, recounts are triggered when the winner prevails by a margin equal to or less than 0.5% of total votes cast (unless the defeated candidate requests that a recount not be made); a candidate cannot request a recount. President Trump's margin of victory exceeded this amount. In addition, no post-election litigation appears to have been filed regarding Florida's election process and procedures.

However, at least one conspiracy theory circulated on Election Night regarding why Florida had not yet been called by any major television networks before 11 p.m. Eastern Time (at which point Fox News called the state for President Trump, before any other major networks). U.S. Senator Marco Rubio (R-Fla.) suggested (without providing evidence) that the major networks delayed calling Florida for President Trump in order to deny him an early swing state

announcement. Rubio's claim insinuated that the media were aiming to suppress votes by Trump supporters in other swing states, such as Arizona and Nevada, where voting was still open. Trump campaign advisor Jason Miller later repeated the claim.

V.   Conclusion

In general, Florida's elections went relatively smoothly. When asked about the election, President of the Florida Supervisors of Elections Association, Craig Latimer of Hillsborough County, noted that he had predicted the 2020 election would go well in Florida. He said that "Florida was in a perfect position to be a shining star on election night," and he shared his hope that, instead of asking about comparisons to the 2000 election, reporters would hold election officials "to the standard set in 2020."

Several policies and strategies contributed to Florida's relative success.[5] Coronavirus safety precautions were taken, alternate voting sites were readily available, and early voting contributed to shorter lines on Election Day.

Extensive communication regarding the mail-in ballot deadline and proactive engagement with postal distribution centers (including election officials physically going to these centers to retrieve election mail) appear to have contributed to relatively few ballots missing Florida's ballot receipt deadline. An extended ballot curing period contributed to low rejection rates of absentee ballots, even as the number of absentee ballots that election officials had to process increased. This law will apply in future elections, hopefully ensuring that rejection rates remain low overall. However, ballot rejections in Florida disproportionately impacted minority voters in 2020, just as in previous years.

Similarly, by allowing county officials to begin tabulating absentee ballots almost immediately, Governor DeSantis' executive order augmented existing Florida law that sets it apart from other states by allowing officials to begin counting early. The significance of this change was evident on election night, when Florida was able to report results extremely quickly and avoid unrest and uncertainty. Even if this executive order lapses in the future, Florida law would still allow election officials to begin counting absentee ballots relatively quickly (22 days before the election).

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[5] Experts also credit some other factors with Florida's largely smooth election. For instance, since 2000, Florida has updated its technology and adopted standardized rules about what types of machines could be used. (After experimenting with touchscreens, the state now uses a paper ballot system easily tabulated by machines.)

STANFORD-MIT HEALTHY ELECTIONS PROJECT

Several of the challenges which emerged in 2020 could persist in future election cycles. Voter intimidation and polling place disturbances did arise in the 2020 general election. While officials increased security and the presence of law enforcement in response, they also noted that this approach may make some voters less comfortable. Poll worker training in dealing with intimidation seems to have been insufficient to address the disturbances that poll workers reportedly faced. Election supervisors and the state may continue to have differing views of the appropriate way to secure election drop boxes. While disagreement among election officials concerning ballot drop boxes did not lead to litigation in the 2020 election, the level of drop box supervision Florida law requires remains ambiguous. Amendment 4 may also lead to issues in the future, given the state's lack of infrastructure for managing voter registration by ex-felons and the state's legal obligation to remove from voter rolls ex-felons who owe fines and fees.

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