

REPORT FOR ALL VOTING IS LOCAL

# Casting, Rejecting, and Curing Vote-by- Mail Ballots in Florida's 2020 General Election

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February 16, 2021

## INTRODUCTION

The 2020 general election saw an unprecedented surge in the use of vote-by-mail (VBM) ballots. Without face-to-face interaction with an election worker, 4.6 million Florida voters were able to cast a ballot in the middle of a pandemic. For the vast majority of these voters, the ability to vote by mail was an accessible option with no drawbacks. However, roughly 47,000 voters had their mailed ballot initially flagged for rejection by election authorities. This overall rejection rate of 0.28 percent, while low overall, represented more than double the initial rejection rate of Floridians who voted in person. While previous reports have focused solely on the final rejection rates of vote-by-mail ballots submitted before the deadline, this report examines the casting, rejection, and resolution of issues, known as “curing” of VBM ballots in Florida and discusses both the disparities in rejection rates that exist, as well as the success of the state’s cure process in ameliorating those disparities.

The good news for Florida’s voters is that our findings validate the State’s cure process’s importance and efficacy. Three-out-of-four voters who cast VBM ballots that were initially rejected successfully cured their ballots before the state’s cutoff date. As a result, Florida’s cure process narrowed the overall rejection rate between younger and older VBM voters, as well as between racial and ethnic voters and white voters. However, newly registered voters who cast VBM ballots that were initially rejected were not so fortunate at curing their VBM ballots.

While the cure process’s success is an important finding, this report also finds a troubling lack of uniformity in which voters have their ballots flagged. The populations of voters who had their ballots initially rejected, and the populations that were ultimately able to cure their ballots, were not uniform across counties, age groups, or racial groups. Younger voters, voters from racial and ethnic groups, and newly registered voters were more likely to have their returned VBM envelopes initially flagged for rejection. The constant variance in the rate of rejected VBM ballots across Florida’s 67 counties suggests at a minimum that the VBM ballot envelope design, the civic education efforts by election officials, or evaluation standards used by county supervisors of elections (SOEs) and their canvassing boards are not uniform across the state.

Our findings also conclude that because rejection rates of VBM ballots are not consistent across the state’s 67 counties, one cannot assume disparities in VBM rejection rates are due to the fault of individual voters. Significant disparities in rejection that disproportionately impact younger voters and voters of color across counties suggest

county SOEs and canvassing boards need to take responsibility for ensuring their VBM ballot validation processes are fair and uniform. Voters casting mail ballots in some counties—regardless of their age, race/ethnicity, or date of registration—are likely not receiving equal treatment when having their VBM ballots evaluated by SOEs or opportunities to cure their VBM ballots if they encounter problems upon receipt by local election officials, as similar voters in other counties.

This report also offers recommendations to ensure that uniform application and enforcement of processing and validating mail ballots are in place across Florida. Our recommendations extend not only to VBM return envelope design, pre-paid postage, and remote secure ballot dropoff locations but also to the processing of VBM ballots by SOEs and their staff. There is also an urgent need for better training and uniform guidelines to validate signatures on return VBM ballot envelopes by the 67 canvassing boards. Voters should have a longer period after Election Day—extending from two days to ten days—to provide a cure affidavit to correct any problems with their timely VBM ballot. Voters should also be able to have their VBM ballot count as long as it is postmarked by Election Day and received within ten days of Election Day, an opportunity military and overseas voters casting VBM ballots are afforded. The cure process for VBM ballots with problematic signatures in Florida has been in place for three general elections. Still, the standards by which counties are to issue and verify VBM ballot cure affidavits remains much to be desired.

The report begins with a summary and outline of key report findings. Recommendations based on these key findings are then presented. We then analyze the VBM process, cure process, and rejection rates by examining age, race, registration, and county data. Finally, recommendations are more fully outlined, and methodology is presented.

## SUMMARY

**More than 4.85 million Florida voters cast vote-by-mail (VBM) ballots in the 2020 general election, roughly 43.6 percent of the 11.1 million total ballots cast. This report examines the 4.6 million on-time VBM ballots cast by domestic, non-military voters in the November 3, 2020, election.**

Of these 4.6 million VBM ballots received by county elections officials by the November 3, 2020, deadline, more than 47,000 mail ballot envelopes received by the state's 67 supervisors of elections (SOEs) were initially flagged for rejection due to a problem. Of these returned VBM envelopes, more than 34,000 domestic, non-military voters were able to fix their on-time mail ballots using the state's affidavit "cure" process. Younger voters, voters from racial and ethnic groups, and newly registered voters were more likely to have their returned VBM envelopes initially flagged for rejection by county SOEs. Younger voters, though, were much less likely to successfully resolve (i.e., cure) their VBM ballots after they were initially flagged for rejection by county SOEs. Substantial variation exists across the state's 67 counties in both the initial rejection rates and cure rates of VBM ballots, indicating a non-uniformity in both the way VBM ballots are initially flagged for rejection by local elections officials and the ability of voters to cure returned VBM envelopes with a problem. The findings suggest that Florida's cure process for deficient VBM ballot return envelopes is working for some voters in some counties more than others. Although the ability of voters casting mail ballots to cure a missing signature, a mismatched signature, or some other deficiency on returned VBM ballot envelopes is greater than in previous elections, there remains room for improvement.



## Report Findings

- In the 2020 general election, as in past elections, Florida voters were much more likely to have their vote tabulated and validated if they cast their ballot in person at an early voting location or at their assigned Election Day precinct than if they cast a VBM ballot;
- Younger voters were more than three times as likely as older voters, and new registrants were twice as likely as more established registrants to have their VBM ballots initially flagged for rejection by SOEs, while racial and ethnic minority voters who cast VBM ballots were over 60 percent more likely than white voters to have their VBM ballot initially flagged for rejection by SOEs;
- Younger voters who had their VBM ballots initially flagged for rejection were over six percentage points less likely than older voters to cure VBM ballots initially flagged for rejection;
- Asian American/Pacific Islander and Black voters who cast VBM ballots that were initially flagged by SOEs for rejection were slightly more likely than white voters to resolve (i.e., “cure”) problematic VBM ballots, and Hispanic voters were equally likely to cure their VBM ballots that were initially flagged for rejection as white voters;
- There is considerable variation in both the rejection rates and cure rates of VBM ballots cast across the state’s 67 counties, particularly across age groups and racial and ethnic groups, indicating non-uniformity in both the standards used by election officials to initially reject VBM ballots and the ability of voters casting VBM ballots flagged with a problem to cure them.



## RECOMMENDATIONS

# Curing VBM Ballots in Florida

To ensure that all eligible voters in Florida are able to cast a valid mail ballot:

- There is a need for: greater simplicity with the instructions accompanying VBM ballots; more uniformity in the design of return VBM envelopes; and standard practices to allow voters to cure VBM ballots flagged with a problem;
- SOEs should be required to inform voters on their websites not only if a voter's VBM ballot has been received, but if it has been counted as valid;
- There should be improved training of SOEs and canvassing boards to ensure uniformity in determining the validity of VBM ballot return envelopes and cure affidavits;
- SOEs should be required to process VBM ballots immediately upon receipt and also be required to immediately contact voters by phone or email, not just by mail, voters who have a problem with their VBM ballot return envelope;
- The Florida statewide voter history file (the FVRS database) should include information about why a voter's mail ballot was rejected. This information should include whether it was rejected because it lacked a signature, a mismatched signature, or some other "voter-caused error," whether the voter attempted to cure the VBM ballot if it was flagged for rejection, and whether the cure affidavit was successful;
- The Florida Division of Elections should provide "best practices" guidelines, drawing on the policies and procedures of counties with the lowest rejection and highest cure rates of VBM ballots.
- Florida Statute § 101.68(4)(b) should be revised so that voters casting VBM ballots may cure any deficiencies with their return ballot envelopes until 5 p.m. on the tenth day after the election, which will also allow military and overseas voters an opportunity to cure VBM ballots flagged for rejection that arrives after Election Day.

## VOTING BY MAIL IN FLORIDA

According to the Florida Division of Elections, in the 2020 general election, over 4.85 million Floridians cast VBM ballots, accounting for roughly 43.6 percent of the 11.1 million ballots cast.<sup>1</sup> Both the raw number and the percentage of VBM ballots cast (out of all ballots cast) were all-time highs in Florida. Four years earlier, in the 2016 general election, some 2.7 million registered voters cast VBM ballots, which accounted for 28.7 percent of the 9.6 million Floridians who turned out to vote. In the 2012 general election, 2.4 million voters, comprising 27.8 percent of the electorate, voted by mail (Smith 2018; Smith and Baringer 2020).

This report examines the casting, rejection, and resolution of issues known as “curing” of VBM ballots in the 2020 general election. The analysis is limited to domestic, non-military VBM ballots received by Florida Supervisors of Elections (SOEs) on time, that is, prior to the state’s November 3, 2020, 7 pm deadline. Excluded from this report are domestic VBM ballots that arrived after the state’s 7 pm Election Day deadline, as well as VBM ballots cast by active members of the military, their eligible dependents, and overseas citizens registered to vote in Florida (who are covered by the federal Uniformed and Overseas Citizens Absentee Voting Act, and who are known as UOCAVA voters).

VBM ballots in Florida are sometimes known as “absentee” ballots, although the term is no longer used by the State of Florida.<sup>2</sup> Notwithstanding the relentless attacks on mail voting (led by President Donald Trump) in the run-up to the 2020 general election,<sup>3</sup> for well over a decade Republican, Democrats, and No Party Affiliate (NPA)s have relied on the method to cast their ballots (Shino and Smith 2020b). There is little doubt that due to the COVID-19 pandemic, the number of Florida voters who relied on mail ballots in the 2020 general election increased, as it was seen as a means to avoid the potential health risks associated with voting in-person.<sup>4</sup> But well before the sharp increase in VBM ballots in the 2020 general election, the trend towards

VBM ballots was already in place, as seen in the 2012 and 2016 general elections, and then with the dramatic increase in VBM ballots in the state’s March 18, 2020, Presidential Preference Primary (Baringer, Herron and Smith 2020).

Not all VBM ballots cast by non-UOCAVA voters—even when received by SOEs by the deadline—are deemed valid by local elections officials. However, as long as their VBM ballots were received by their SOE by 7 pm on Election Day, Florida mail voters who have a problem with their VBM ballot return envelope are permitted to resolve, or “cure,” deficiencies, such as a missing or mismatched signature or some other “voter-caused error.” Such VBM voters are required to submit a cure affidavit to their SOE by 5 pm no more than two days after Election Day.<sup>5</sup>

In order to examine the acceptance, rejection, and curing of VBM ballots cast by voters in the 2020 general election, this report draws on publicly available statewide voter files and daily VBM files uploaded by the 67 county SOEs to the Division of Elections (FDOE)<sup>6</sup> to determine if a VBM ballot was immediately deemed valid upon receipt by a SOE, initially flagged for rejection by a SOE, or eventually cured by the voter, we compare individual voters’ records in sequential daily VBM files uploaded to the Division of Elections by the SOEs. If a voter’s VBM ballot’s “absentee request status” code in the daily file changes from one day to the next—say, from a “N” (for a “missing signature” on a VBM return envelope), or an “E” (for a “voter-caused error”), to a “V” (indicating a valid received VBM ballot)—it is possible to calculate not only the daily number of VBM ballots received by SOEs that were initially deemed valid or invalid by SOEs, but also if (and when) voters cured their deficient return VBM ballot envelope. Unless otherwise noted, when referencing rejected VBM ballots, we are referring to the total number of VBM ballots that were initially flagged for rejection by SOEs, that is, inclusive of those VBM ballots that may have been eventually cured by voters.

<sup>1</sup>Data for 2020 General Election turnout in Florida is available here: <https://results.elections.myflorida.com/Index.asp?ElectionDate=11/3/2020> (last accessed January 15, 2021), and <https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/PublicStats> (last accessed January 15, 2021).

<sup>2</sup>Prior to 2016, voting by mail in Florida was officially recognized as “absentee” voting. In 2016, the Republican state legislature passed a bill, signed into law by Republican Governor, Rick Scott, striking and replacing the language of “absentee ballot” with “vote-by-mail” language. See S.B. 112, available at <https://flsenate.gov/Session/Bill/2016/0112/BillText/er/HTML> (last accessed January 22, 2021).

<sup>3</sup>Until early August, that is, when Trump abruptly reversed course on the merits of mail voting in Florida. See “Trump backtracks on mail-in voting, says it’s OK to do in Florida,” Politico, August 4, 2020, available at <https://www.politico.com/news/2020/08/04/trump-backtracks-mail-voting-florida-391373>, last accessed August 30, 2020).

<sup>4</sup>See Enrijeta Shino and Daniel A. Smith, “Do you usually vote by mail? A lot of Republicans who do won’t say so,” The Washington Post, October 9, 2020, available <https://www.washingtonpost.com/politics/2020/10/09/do-you-usually-vote-by-mail-lot-republicans-who-do-wont-say-so/> (last accessed January 22, 2021).

<sup>5</sup>See Florida Statutes, Chapter 101.68, “Canvassing of vote-by-mail ballot,” available at <http://www.leg.state.fl.us/statutes/index> (last accessed October 7, 2020). At least a dozen states allow voters anywhere from three days to three weeks after Election Day to cure their VBM ballots. For example, Arizona (five days), Illinois (14 days), Nevada (seven days), Ohio (seven days), Utah (seven days). See National Conference of State Legislatures, “Table 15: States That Permit Voters to Correct Signature Discrepancies,” available at <https://www.ncsl.org/research/elections-and-campaigns/vopp-table-15-states-that-permit-voters-to-correct-signature-discrepancies.aspx> (last accessed February 12, 2021).

<sup>6</sup>See the Appendix for more on the data relied upon for this report, including the processing of the daily absentee (VBM) ballot files.

In addition to assessing the overall initial rejection and cure rates of VBM ballots, the report documents the considerable heterogeneity in the initial rejection rate of VBM ballots in Florida, not only across age groups, racial and ethnic groups, and newly registered voters, but also across the state’s 67 counties.

**RECEIVED, VALID, INITIALLY REJECTED, & CURED VBM BALLOTS**

Table 1 displays the total number of domestic, non-military VBM ballots that were received on time by SOEs, the total number of these VBM ballots that were valid upon receipt, the total number that was initially flagged for rejection, the initial rejection rate, the total number of these VBM ballots that were successfully cured by voters, and the percent of VBM ballots initially flagged for rejection that were ultimately cured by voters in the 2020 general election.

Of the 4.6 million VBM ballots cast by non-UOCAVA voters that were received on-time by SOEs in the November 2020 election, 47,112 (just over 1.0 percent) were initially flagged by staff as having a problem.<sup>7</sup> Through the state’s cure process, 34,361 of these VBM voters (72.9 percent) were able to correct the information on their return VBM ballot envelopes by the November 5, 2020, 5 pm deadline. In the end, according to the final daily upload VBM files, only 12,751 on-time VBM ballots cast by non-UOCAVA voters were rejected, in large part because nearly three-out-of-four voters who cast VBM ballots that were initially flagged for having problems successfully cured their ballots prior to the state’s cutoff date.

If Florida law were altered to prohibit voters from being allowed to cure on-time VBM ballots with a deficiency on the return envelope, all 47,112 of the 4.60 million domestic, non-military VBM ballots received by the Election Day deadline would have been rejected, a rejection rate of 1.0 percent. However, because of the curing process in place for flagged VBM ballot return envelopes, the final statewide rejection rate for on-time, domestic, non-military VBM ballots in the

**Nearly three-out-of-four voters who cast VBM ballots that were initially flagged for having problems successfully cured their ballots prior to the state’s cutoff date.**

2020 general election was less than one-third of a percent (12,751 out of nearly 4.60 million VBM ballots cast).

It is difficult to compare the overall rejection rates of VBM ballots in 2020 with previous general elections for several reasons. First, Florida’s law allowing voters an opportunity to cure their VBM ballots changed following the 2018 general election. As a result of successful litigation prior to the November 2018 election, which was followed by a statutory fix in 2019, voters were permitted to cure a deficient VBM ballot return envelope by the Saturday prior to Election Day. In 2020, as mentioned previously, voters were able to provide a cure affidavit up to 5 pm two days after the polls closed, so long as the return ballot envelope was originally received by local election officials by Election Day. Second, besides voters having an additional two days after Election Day to cure problematic VBM return envelopes, in the lead up to the 2020 general election there was more attention placed on voting by mail by SOEs, the media, candidates, political parties, and especially voting rights groups that arose out of concerns with an influx of voters casting mail ballots in the midst of the COVID-19 pandemic. This raised the information and opportunities for voters who may have had a return VBM envelope with a problem to cure their ballot.

**Table 1: Received, Valid, Initially Rejected, & Cured VBM Ballots, 2020 General Election**

Received	Valid	Intially Rejected	% Intially Rejected	Cured	% Cured
4,598,141	4,585,390	47,112	1.0%	34,361	72.9%

<sup>7</sup> Of these VBM return envelopes flagged for rejection, 26,573 had a missing signature, 19,266 had an unspecified voter-caused error, and 1,273 had an undefined error code of “X” (Sarasota County). See the Appendix for more details.

It is important to note that compared to ballots cast in-person in Florida in the 2020 presidential election, the rejection rate of VBM ballots is higher. The overall VBM rejection rate of 0.28 percent in the 2020 general election is more than two times higher than the “rejection” rate of ballots cast by in-person early and Election Day voters, that is provisional ballots that were ultimately rejected by a county canvassing board. In the November 2020 election, nearly 4.34 million valid ballots were cast by voters in-person during the two-week early voting period, and another 1.94 million valid ballots were cast by voters in-person on Election Day. Of the 6.28 million in-person ballots cast in the November 2020 election, fewer than 8,000 voters cast a provisional ballot that was eventually rejected by a county canvassing board, a “rejection” rate of just 0.12 percent of all in-person ballots cast.

As mentioned above, 12,751 (47,112 initially rejected - 34,361 ultimately cured) on-time VBM ballots cast by domestic, non-military voters did not count in the 2020 general election. That is, notwithstanding the increased attention during the election on problems associated with voting by mail, more than ten thousand voters had their VBM ballots rejected for a missing signature on their VBM return envelope or some other “voter-caused error” that rendered their return ballot to be invalid. Is 12,751 a large number? Perhaps not, when considering the nearly 4.60 million on-time domestic and non-military VBM ballots cast in the 2020 general election. But thousands of registered voters in Florida had their ballots rejected for an issue with their return VBM ballot envelope. And with regard to whether 12,000 votes might tip an election, besides the memorable 537 vote differential separating George Bush and Al Gore in the 2000 Presidential election, one needs just recall that in the 2018 U.S. Senate race, incumbent U.S. Senator Bill Nelson lost to challenger, then Governor Rick Scott, by only 10,033 votes (Herron, Martinez and Smith 2019).

### **WHY MIGHT REJECTION RATES OF VBM BALLOTS DIFFER?**

As was the case in previous general elections in Florida (Smith 2018; Smith and Baringer 2020; Baringer, Herron and Smith 2020), the rejection rate of mail ballots in the 2020 general election varies considerably across age cohorts and racial and ethnic groups. The initial rejection rate of VBM ballots also differs substantially for newly registered voters as well as across the state’s 67 counties. Younger voters, racial and ethnic minorities, and new registrants in Florida disproportionately are more likely to cast VBM ballots that are “rejected as illegal” by county canvassing boards, and less likely to cure their VBM ballots.

And, as will become clear, VBM rejection and cure rates are considerably higher in some Florida counties relative to other counties.

Why might VBM rejection and cure rates differ across Florida’s 67 counties? Despite uniform statewide election codes, there is considerable variation from county to county in the processing of VBM ballots and in the procedures used by SOEs to inform voters to enable them to correct flawed returned VBM ballots with a cure affidavit. To be sure, voters who cast ballots by mail assume responsibility to follow instructions when filling out their ballots and returning their envelopes, just as county officials assume responsibility to make sure every valid VBM ballot is counted. Eligible voters should be responsible for making sure they cast a valid ballot, taking care to update their signature on file with their local election official and to follow instructions on how to complete the voter’s certificate on the return envelope to avoid mistakes that might spoil their ballot.

At the same time, county election officials who are entrusted with processing and validating VBM ballots have considerable discretion in processing and validating said ballots.

**As such, local election officials need to be held accountable for ensuring that all voters have equal access to cast a mail ballot and that mail ballots are tabulated fairly. They have a responsibility to foster a transparent process to make sure the validation (and possible curing) of mail ballots are fairly administered for all eligible voters. This is especially true in the age of COVID-19, with increasing numbers of voters seeking to exercise their franchise through the VBM process.**

When considerable variation exists across counties in the rate of initially rejected and eventually cured VBM ballots, especially among different groups of voters (for example, within categories of age, race/ethnicity, and new registrants), it is important to investigate whether all county election officials are providing timely and clear instructions on how to return a VBM ballot, and that VBM return envelopes are easy to complete. Although beyond the scope of this report, more research is needed on whether SOEs are providing the necessary time and equal opportunity for all voters to cure flagged VBM ballots, particularly if their signature on the return VBM envelope is missing, their signature appears to be mismatched, or if there is some other problem with their otherwise timely VBM ballot.

Why might rejection and cure rates of VBM ballots differ across age cohorts, racial/ethnic groups, and new (versus longer) registered voters? Mistakes made by voters are

unavoidable at this scale, so some voters will fail to follow instructions when filling out their ballot and return envelope. When mailing back their VBM ballots, some voters may fail to sign their name on the back of the official mailing envelope as it appears in the county’s official voter registry. VBM voters may disregard an affidavit or date that is required, or simply sign the return envelope incorrectly. Some VBM voters may neglect to sign the vote by mail ballot envelope at all.

But it is equally possible that the differential rates of initially rejected and cured VBM ballots cast across demographic groups may be related to how SOEs process mail ballots, or how the state’s 67 county canvassing boards interpret the voter’s certificate signature and other information on VBM return envelopes. Indeed, there is a well established literature on how local administrative discretion leads to discriminatory outcomes.<sup>8</sup>

Regardless of whether the cause of rejected VBM ballots is voter error or substandard procedures established by local election administrators, in theory, the rate of initially rejected VBM ballots across demographic groups (e.g., age cohorts and racial/ethnic groups, or newly registered voters) should not differ substantially across counties if an even application of the law is in play. Even if there are correlates of age, race, and ethnicity (such as education levels) that might lead to higher rates of initially rejected VBM ballots for some demographic groups, initial rejection rates across demographic groups should be consistent across counties; that is, if equal standards and procedures are applied by SOEs, their staff, and county canvassing boards.

Furthermore, there should be comparable VBM cure rates across counties of ballots cast across age cohorts, racial and ethnic groups, and other groups of voters who have their VBM ballot initially rejected by a SOE or a canvassing board. In the 2020 general election, voters who neglected to sign the voter’s certificate on the VBM envelope, or who signed the voter’s certificate on the envelope but their signature did not match their signature in the registration books, in theory, all had an equal opportunity to cure their timely VBM ballot.

### VALID, INITIALLY REJECTED, & CURED VBM BALLOTS, BY AGE

Table 2 provides a breakdown of the VBM ballots that were valid, rejected, and cured across six different cohorts (18-21, 22-25, 26-29, 30-44, 45-64, and 65-104).<sup>9</sup>

**Perhaps most notably, younger voters were disproportionately more likely to have had their mailed ballot initially rejected than were older voters.**

In the 2020 general election, as table 2 shows, as the age of a cohort increased, the likelihood of a voter’s VBM ballot being rejected decreased monotonically. For example, the rate of initially rejected VBM ballots cast by the youngest cohort, 18-21 year-olds, was 2.4 percent, slightly less than twice the rate of 30-44 year-olds (1.3 percent), and more than three times greater than the rejection rate of the oldest cohort (0.7 percent).

**Table 2: Valid, Initially Rejected, & Cured VBM Ballots, by Age**

Age	Valid	Initially Rejected	% Initially Rejected	Cured	% Cured
18-21	133,986	3,248	2.4%	2,194	67.5%
22-25	156,202	3,311	2.1%	2,242	67.7%
26-29	162,733	3,085	1.9%	2,163	70.1%
30-44	686,307	9,271	1.3%	6,759	72.9%
45-64	1,413,068	13,010	0.9%	9,831	75.6%
66-104	2,015,885	15,002	0.7%	11,078	73.8%
Total	4,568,181	46,927	1.0%	34,267	73.0%

<sup>8</sup> See, for example, Kimball and Kropf (2006); King and Barnes (2019); Atkeson et al. (2014); Herron and Smith (2014, 2015, 2013); Merivaki and Smith (2016); Cottrell, Herron and Smith (2020); Amos, Smith and Ste. Claire (2017); Pettigrew (2017); Barreto, Cohen-Marks and Woods (2009); White, Nathan and Faller (2015); Shino and Smith (2020a); Ansolabehere (2009); Cobb, Greiner and Quinn (2010).

<sup>9</sup> The oldest cohort, due to known data entry errors with birth dates in the voter file (Shino et al. 2020), excludes voters aged 105 and over who cast VBM ballots.

Although 18-21 year-olds comprised only 2.9 percent of all voters who cast a valid VBM ballot in Florida in 2020, they accounted for 6.9 percent of all initially rejected VBM ballots in the 2020 general election. Meanwhile, voters aged 65-104 comprised 43.9 percent of all Florida voters who cast accepted VBM ballots, but just 31.8 percent of all initially rejected ballots. In short, younger voters disproportionately cast a higher share of VBM ballots that were ultimately rejected.

When it comes to the cure rates of VBM ballots, there is a different pattern. Younger voters (18-25) were the least likely to cure their initially rejected VBM ballots, particularly when compared to voters aged 45-64. However, the oldest age cohort, while more likely to cure their VBM ballots than the youngest three age cohorts, were less likely to do so than those aged 30-64. The gap in cure rates between all six age cohorts, though, is not nearly as dramatic, nor as steep, as with VBM ballots that were initially flagged for rejection.

Perhaps due to the media’s attention on VBM ballots and the problems facing younger voters casting mail ballots, in particular, in having their mail ballots rejected, it is newsworthy that the initial rejection rate among the state’s youngest voters (18-21 year-olds) in the 2020 election was considerably lower than in the 2012, 2016, and 2018 general elections. In those three elections, the youngest cohort of voters had 4.2, 4.0, and 5.4 percent, respectively, of their VBM ballots rejected (Smith 2018; Smith and Baringer 2020). This drop in rejected VBM ballots for young voters is likely attributed to the efforts on the ground by various groups contacting 18-21 year-olds and reminding them to cure their ballots.<sup>10</sup>

### VALID, INITIALLY REJECTED, & CURED VBM BALLOTS, BY RACE/ETHNICITY

The pattern of VBM ballots cast by racial and ethnic groups that were initially rejected by SOEs, compared to VBM ballots cast by white voters, are as glaring as rejected mail ballots broken down by age groups.<sup>11</sup> Table 3 provides a breakdown for the VBM ballots valid, rejected, and cured across five different demographic groups (Asian American/ Pacific Islander (AAPI), Black, Hispanic, Other, and white), as identified in the Florida statewide voter file (Shino et al. 2020). In the 2020 general election, roughly 0.8 percent of all on-time, domestic, non-military VBM ballots cast by white voters were initially rejected by local elections offices. In contrast, 1.4 percent of similar VBM ballots cast by Black voters were initially rejected; 1.3 percent of VBM ballots cast by Hispanics were initially rejected; 1.4 percent of VBM ballots cast by AAPI voters were initially rejected; and 1.5 percent of VBM ballots cast by voters of other racial or ethnic identities were initially rejected by SOEs.

Relative to the number of valid VBM ballots received by SOEs, racial and ethnic minority voters cast a disproportionately higher percentage of VBM ballots that were initially flagged for rejection, compared to white voters. In the 2020 election, 522,038 Black voters (domestic, non-military) cast VBM ballots that were valid upon receipt by SOEs, but another 7,093 Black voters had their VBM ballots rejected when they were initially processed by SOEs. Although VBM ballots cast by Black voters accounted for about 11.4 percent of all valid mail ballots cast, Black voters accounted for 15.1 percent of all VBM ballots that were initially rejected by SOEs. Some 713,448 Hispanic voters cast VBM ballots that were valid upon receipt in the election.

**Table 3: Valid, Initially Rejected, & Cured VBM Ballots, by Race/Ethnicity**

Race/Ethnicity	Valid	Initially Rejected	% Initially Rejected	Cured	% Cured
AAPI	113,782	1,599	1.4%	1,225	76.6%
Black	522,038	7,093	1.4%	5,352	75.5%
Hispanic	713,448	9,620	1.3%	6,981	72.6%
Other	236,352	3,499	1.5%	2,511	71.8%
White	2,999,316	25,231	0.8%	18,281	72.5%
Total	4,584,936	47,042	1.0%	34,350	73%

<sup>10</sup> See the Andrew Goodman Foundation, “Campaign to the Polls: How Young Voters Overcame Obstacles and Took Their Power Back,” available at <https://andrewgoodman.org/news-list/campaign-to-the-polls-how-young-voters-overcame-obstacles-and-took-their-power-back/> last accessed February 5, 2020.

<sup>11</sup> The totals in Table 3 do not equal the totals in Table 2 because they do not screen out VBM voters 105 and older. The totals in Table 3 also do not equal the totals in Table 1 because some voters who cast VBM ballots in the 2020 General Election are not found in the October 2020 book closing statewide file, making it impossible to link, and thus determine, their race or ethnicity.

Hispanics accounted for 15.6 percent of all valid VBM ballots cast statewide, but 20.4 percent of all the VBM ballots that were initially flagged as invalid. Voters of other racial and ethnic groups accounted for only 5.2 percent of all valid VBM ballots cast in the election, but they cast 7.4 percent of all the ballots rejected by SOEs when they arrived at their offices. In contrast, white voters cast nearly 3 million VBM ballots that were validated upon receipt by SOEs, or 65.4 percent of all 4.58 million valid VBM ballots cast; yet, white voters were responsible for only 53.6 percent of VBM ballots that were initially rejected by SOEs. These numbers indicate that rejection rates across all non-white racial/ethnic groups were substantially higher than they were for white voters.

With regard to cure rates, however, there is no discernible evidence statewide suggesting that white voters were more likely to cure their deficient VBM ballots, compared to non-white voters. In fact, a slightly higher percentage of Black voters (75.5 percent) and AAPI voters (76.6 percent) who cast VBM ballots that were initially rejected successfully cured their VBM ballots that were flagged for a deficiency, compared to similar white VBM voters (72.5 percent). Hispanic voters (72.6 percent) who cast VBM ballots that were initially rejected effectively had the same cure rate as white VBM voters (72.5 percent). The relatively high success rate of cured VBM ballots cast by Black and AAPI voters, and a cure rate among Hispanic VBM voters that was on par of that of white VBM voters, speaks to the work on the ground by VBM chase and cure programs in place by parties and advocacy groups.<sup>12</sup>

These higher initial rejection rates are similar to the final rejection rates of VBM ballots cast by racial and ethnic groups in the last two presidential elections in Florida (Smith 2018). However, Black and AAPI voters who cast VBM ballots that were initially flagged for rejection were able to successfully cure their VBM ballot envelopes at a higher rate than white voters in the 2020 election, mitigating some of the initial disparities resulting from the higher rejection rates of VBM ballots cast by racial/ethnic groups.

## In sum, Black voters, Hispanic voters, and other racial and ethnic voters in the 2020 general election were at least 60 percent more likely to have their VBM ballots initially rejected compared to white voters.

### VALID, INITIALLY REJECTED, & CURED VBM BALLOTS, BY REGISTRATION

Finally, it is instructive to examine whether newly registered voters were more at risk casting VBM ballots that were rejected by SOEs and not cured, compared to voters with a longer history of voter registration in Florida. Here, newly registered voters are defined as those who registered after July 20, 2020, the book closing date for the state’s August 28, 2020 primary election. There is good reason to expect that late-registering voters are more likely to have their VBM ballots initially rejected and less likely to cure their VBM ballots, as registration timing impacts a voter’s likelihood of turning out to vote (Shino and Smith 2018).

Among newly registered voters, 112,221 voters cast VBM ballots that were valid, but 2,210 (2.0 percent) cast a VBM ballot that was initially rejected. Newly registered voters accounted for 2.5 percent of the voters who cast valid VBM ballots in 2020, yet they accounted for 4.7 percent of those VBM ballots that were initially rejected. In contrast, only

**Table 4: Valid, Initially Rejected, & Cured VBM Ballots, by New & Old Registrants**

Status	Valid	Initially Rejected	% Initially Rejected	Cured	% Cured
New	112,221	2,210	2.0%	1,604	72.6%
Old	4,472,715	44,832	1.0%	32,746	73.0%

<sup>12</sup> See, for example, “Major Commitment to Have Vote-By-Mail Ballots ‘Cured’ by Election Day in Florida,” Spectrum News, October 30, 2020, available <https://www.baynews9.com/fl/tampa/politics/2020/10/30/major-commitment-to-have-vote-by-mail-ballots-cured-by-election-day-in-florida> (last accessed February 5, 2021), and “Voting Rights Groups Help Americans ‘Cure’ Rejected Ballots,” NPR, October 16, 2020, available <https://www.npr.org/2020/10/16/924648168/voting-rights-groups-help-americans-cure-rejected-ballots> (last accessed February 1, 2021).

1.0 percent of the VBM ballots cast by Floridians who were registered at least three-and-a-half months prior to Election Day were initially flagged for rejection, a rate that was half that of newly registered voters.

However, with regard to the success rates of curing initially flagged VBM ballots, newly registered voters were nearly as successfully curing problematic VBM ballots as more established registered voters. Overall, 72.6 percent of newly registered voters who cast mail ballots that were initially flagged for rejection were able to cure their on-time VBM ballots, compared to 73.0 percent for longer registered voters. This minimal gap in the cure rates suggests that efforts on the ground by voting rights groups targeting newly registered voters whose VBM ballots were initially flagged for rejection proved to be a success.

### **INITIALLY REJECTED & CURED VBM BALLOTS, BY COUNTY**

As has been the case in previous general elections in Florida, the rejection rate of VBM ballots cast in the 2020 general election vary greatly across the state's 67 counties. There are several reasons why the initial rejection rates of VBM ballots might differ across local election administration jurisdictions. First, the design of mail ballot instructions and the physical layout of VBM ballot return envelopes vary across counties. Second, SOEs, their staff, and county canvassing boards may have different procedures and standards in place to process and validate VBM ballot envelopes they receive. Third, it is possible that voters across counties may differ in their capacity to properly fill out and return their VBM ballots.

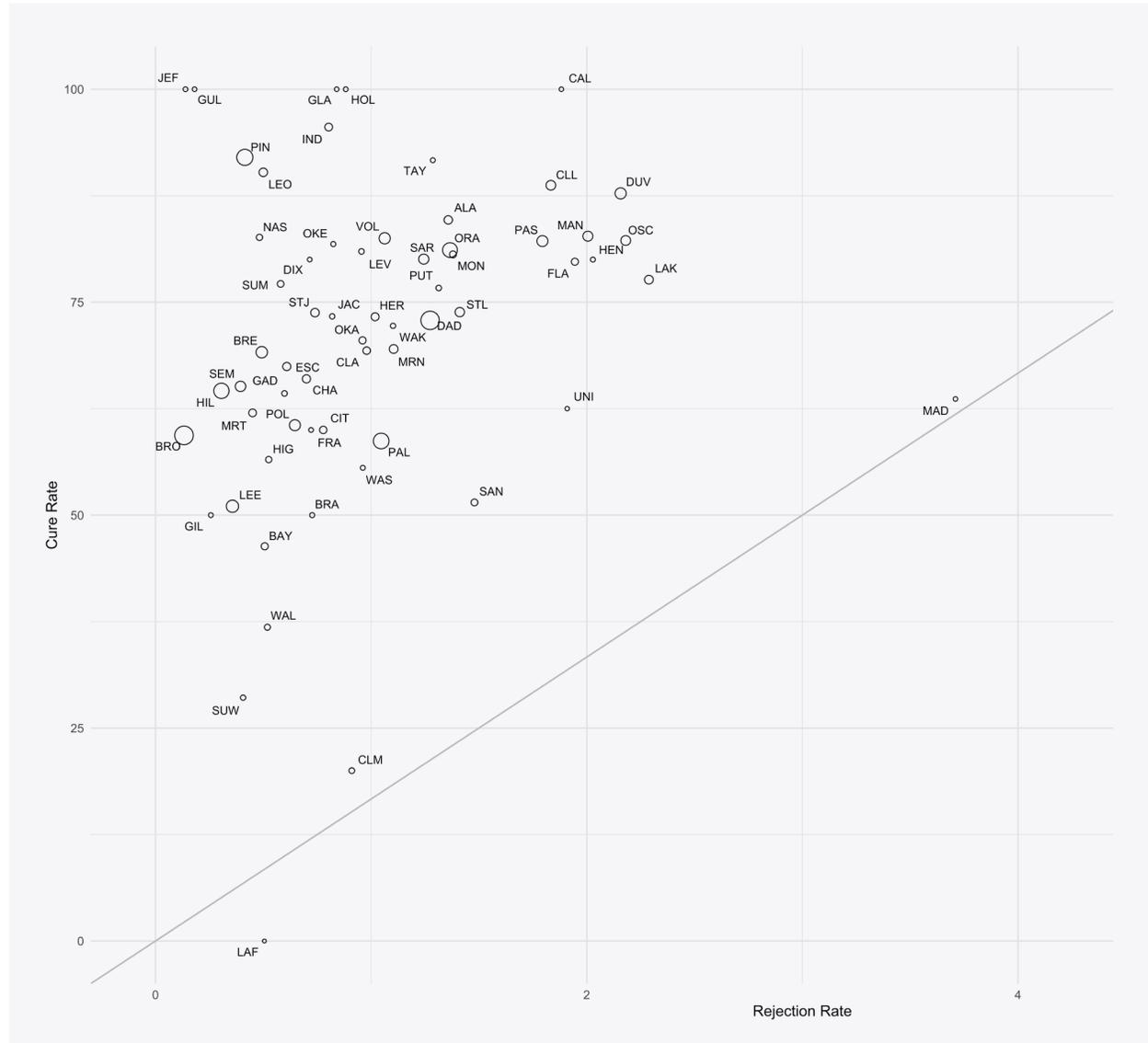
There are also reasons why there might be different cure rates across counties for VBM ballot envelopes initially flagged with a problem. First, not all SOEs were as proactive in alerting voters who cast ballots about how to cure those that had a problem. Second, not all SOEs utilized their official web pages to allow voters to query whether their VBM ballots were accepted, only if they were received. Third, in some counties, there was considerable attention placed on the cure process by the media, candidates, political parties, and especially voting rights groups, whereas in other counties, there was little outside attention. All of these reasons contribute to the heterogeneity across counties in both the rates of VBM return envelopes that were initially flagged for rejection and the rates of VBM return envelopes that were successfully cured. figure 1 reports the percentage of VBM ballots that were initially rejected (x-axis), and of those, the percentage that were ultimately cured (y-axis).

## **Newly registered voters accounted for 2.5 percent of the voters who cast valid VBM ballots in 2020, yet they accounted for 4.7 percent of those VBM ballots that were initially rejected.**

Five counties which reported not rejecting any VBM ballots cast (and, therefore, not having any VBM ballots cured) in their daily absentee files (Baker, DeSoto, Hamilton, Hardy, and Liberty) are not shown in figure 1.

As noted above, in the November 2020 election, statewide 1.0 percent of all on-time, domestic, non-military VBM ballots received by SOEs were initially flagged for rejection. However, as is easily seen in figure 1, a considerable range exists across the counties in the percentage of received VBM ballots that were initially rejected. Among the larger counties, Broward County reported flagging only 646 VBM ballots for initial defects, or less than 0.2 percent of all VBM ballots cast. At the other extreme, five counties initially rejected more than 2.0 percent of all VBM ballots (Duval, Lake, Madison, Manatee, and Osceola, with Pasco not far behind with a 1.99 initial rejection rate). Madison County stands as a clear outlier, initially rejecting 3.78 percent of all on-time VBM ballot envelopes it received, more than three times the statewide average.

**Figure 1: Percent of Initially Rejected & Cured VBM Ballots, by County**



Note: Each point is sized according to the total number of on-time, domestic, non-military VBM ballots cast by voters in each county, whether or not they were counted.

Alachua	ALA	Flagler	FLA	Lake	LAK	Pinellas	PIN
Baker	BAK	Franklin	FRA	Lee	LEE	Polk	POL
Bay	BAY	Gadsden	GAD	Leon	LEO	Putnum	PUT
Bradford	BRA	Gilchrest	GIL	Levy	LEV	Santa Rosa	SAN
Brevard	BRE	Glades	GLA	Liberty	LIB	Sarasota	SAR
Broward	BRO	Gulf	GUL	Madison	MAD	Seminole	SEM
Calhoun	CAL	Hamilton	HAM	Manatee	MAN	Saint Johns	STJ
Charlotte	CHA	Hardee	HAR	Monroe	MON	Saint Lucie	STL
Citrus	CIT	Hendry	HEN	Marion	MAR	Sumter	SUM
Clay	CLA	Hernando	HER	Martin	MRT	Suwanee	SUW
Collier	CLL	Highlands	HIG	Nassau	NAS	Taylor	TAY
Columbia	CLM	Hillsborough	HIL	Okaloosa	OKA	Union	UNI
Miami-Dade	DAD	Holmes	HOL	Okeechobee	OKE	Volusia	VOL
De Soto	DES	Indian River	IND	Orange	ORA	Wakulla	WAK
Dixie	DIX	Jackson	JAC	Osceola	OSC	Walton	WAL
Duval	DUV	Jefferson	JEF	Palm Beach	PAL	Washington	WAS
Escambia	ESC	Lafayette	LAF	Pasco	PAS		

## VBM BALLOTS BY COUNTY, BY AGE

As table 2 revealed, the state’s youngest VBM voters were nearly three times more likely than the oldest group of VBM voters to have their VBM ballots initially flagged for rejection. The cure rates for younger voters also lagged behind those of older voters. But do these patterns exist across all the 67 counties? If not, it suggests that other factors, besides age, might be driving the incidence of rejected and cured VBM ballots, as intuitively, there is little reason to think that young (old) voters in some counties should have higher (lower) rates of VBM ballots initially flagged for rejection, or later successfully cured.

Figure 2 shows considerable variation across the counties in the initial percent of rejected VBM ballots (x-axis) and the final percent of VBM ballots that were cured (y-axis) across six different age cohorts. It is clear that the statewide rejection and cure patterns persist across the counties, as the data points for the older age cohorts are concentrated much more tightly in the upper-left region of the plots than for the younger age cohorts.

Although the initial rejection rate of VBM ballots statewide for 18-21-year-old voters was 2.3 percent, in some counties (e.g. Lake, Manatee, Monroe, Pasco, and Santa Rosa) the initial VBM rejection rate exceeded 5 percent of all VBM ballots received—more than twice the statewide rate for the youngest age cohort, and at least twice that of the oldest cohort in these counties. In Clay, Collier, Highlands, Hillsborough, Lake, Monroe, Nassau, Pinellas, and Walton counties, VBM ballots cast by 18-21 year-olds were over five times more likely to be initially rejected than were VBM ballots cast by those 65-104. More strikingly, 18-21-year-old voters in Bay, Brevard, Citrus, Flagler, Glades, Indian River, Lee, Polk, St. Johns, Suwannee, Taylor, and Volusia counties were over seven times more likely to have their VBM ballots initially rejected than the oldest voters.

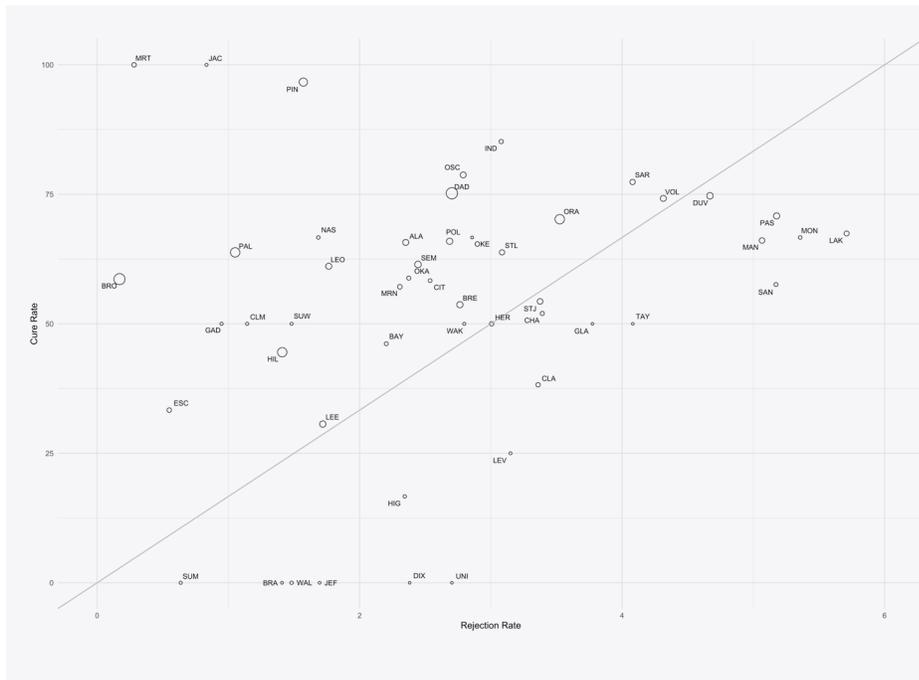
Furthermore, the youngest cohort of VBM voters in Charlotte, Dixie, Putnam, and Seminole counties were over ten times more likely to be initially rejected than was the oldest cohort.

More broadly, Collier, Duval, Lake, Manatee, Pasco, and Volusia counties notably and consistently display relatively high initial rejection VBM ballot rates among the three cohorts under 30 years-old.

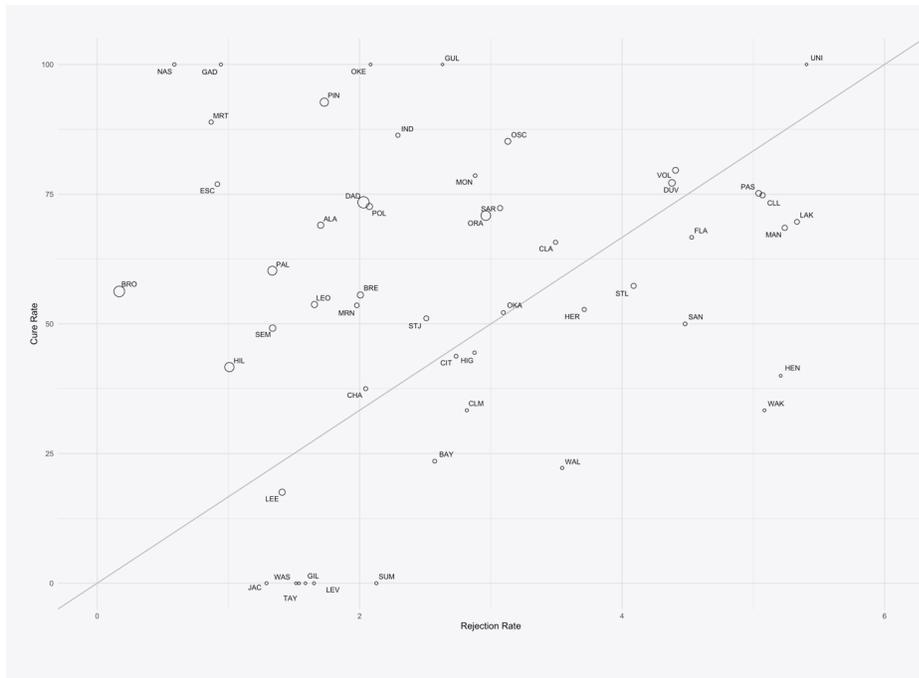
**Furthermore, the youngest cohort of VBM voters in Charlotte, Dixie, Putnam, and Seminole counties were over 10 times more likely to be initially rejected than was the oldest cohort.**

**Figure 2: Percent of Initially Rejected & Cured VBM Ballots by County, by Age**

**Ages 18-21**



**Ages 21-25**

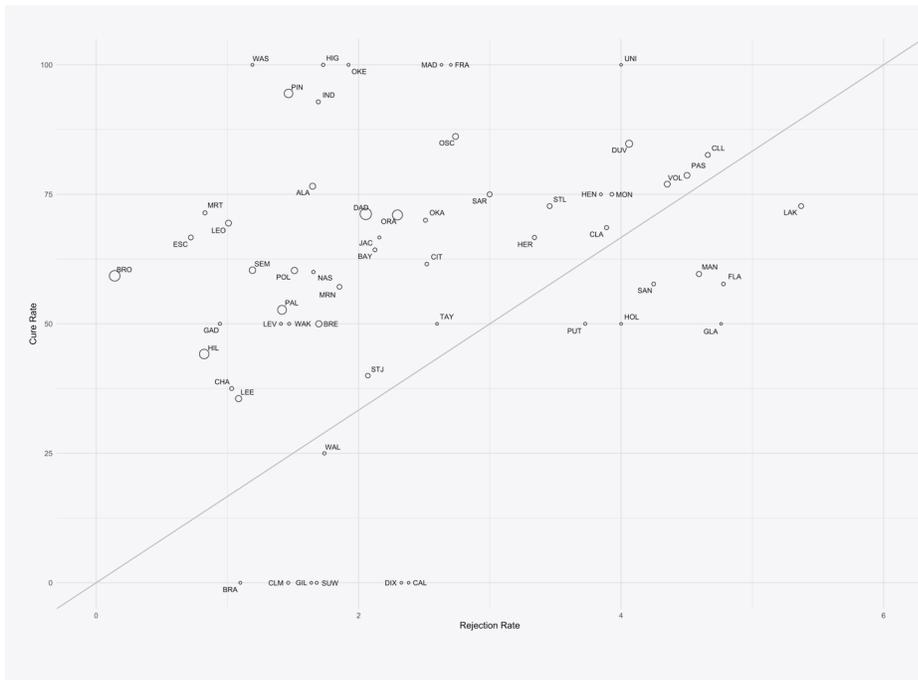


Alachua	ALA
Baker	BAK
Bay	BAY
Bradford	BRA
Brevard	BRE
Broward	BRO
Calhoun	CAL
Charlotte	CHA
Citrus	CIT
Clay	CLA
Collier	CLL
Columbia	CLM
Miami-Dade	DAD
De Soto	DES
Dixie	DIX
Duval	DUV
Escambia	ESC
Flagler	FLA
Franklin	FRA
Gadsden	GAD
Gilchrest	GIL
Glades	GLA
Gulf	GUL
Hamilton	HAM
Hardee	HAR
Hendry	HEN
Hernando	HER
Highlands	HIG
Hillsborough	HIL
Holmes	HOL
Indian River	IND
Jackson	JAC
Jefferson	JEF
Lafayette	LAF
Lake	LAK
Lee	LEE
Leon	LEO
Levy	LEV
Liberty	LIB
Madison	MAD
Manatee	MAN
Monroe	MON
Marion	MRN
Martin	MRT
Nassau	NAS
Okaloosa	OKA
Okeechobee	OKE
Orange	ORA
Osceola	OSC
Palm Beach	PAL
Pasco	PAS
Pinellas	PIN
Polk	POL
Putnum	PUT
Santa Rosa	SAN
Sarasota	SAR
Seminole	SEM
Saint Johns	STJ
Saint Lucie	STL
Sumter	SUM
Suwanee	SUW
Taylor	TAY
Union	UNI
Volusia	VOL
Wakulla	WAK
Walton	WAL
Washington	WAS

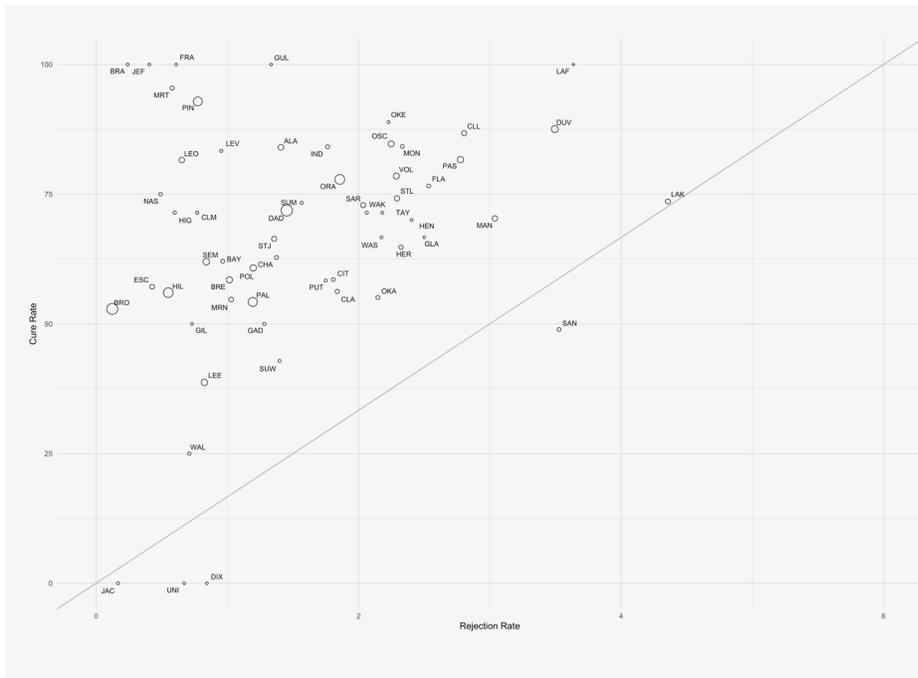
Note: Each point is sized according to the total number of on-time, domestic, non-military VBM ballots cast by each age group in each county, whether or not they were counted. Not shown in these plots are Collier County's initial rejection rates of 6.6 percent of voters aged 18-21, Putnam County's initial rejection rates of 7.1 percent of voters aged 18-21 and 7.2 percent of those 22-25, Flagler County's initial rejection rate of 7.2 percent of voters aged 18-21, and Madison County's initial rejection rate of 9.1 percent of voters aged 30-44.

**Figure 2: Percent of Initially Rejected & Cured VBM Ballots by County, by Age**

**Ages 26-29**



**Ages 30-44**

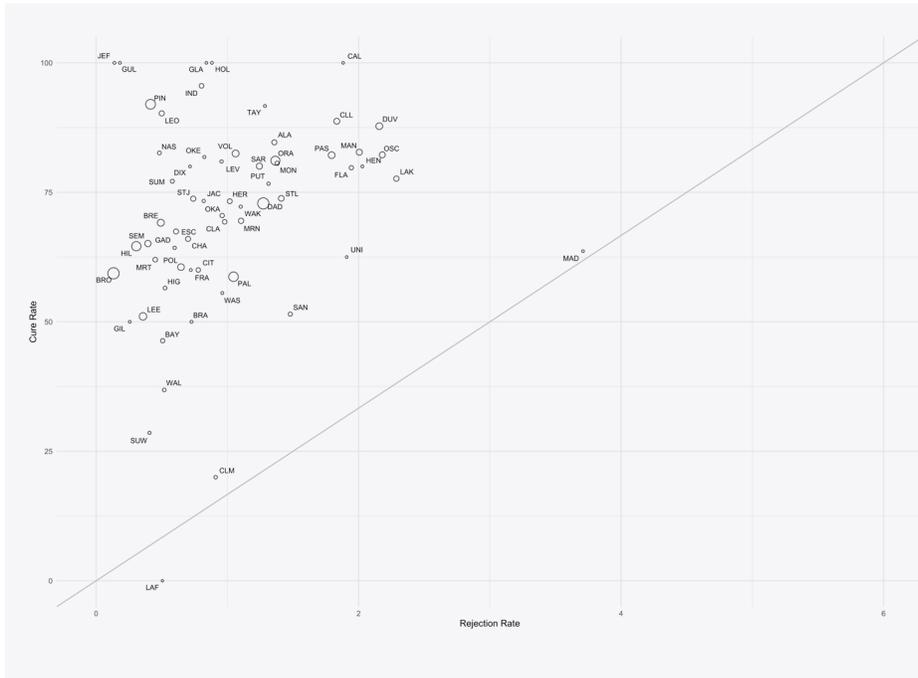


- Alachua ALA
- Baker BAK
- Bay BAY
- Bradford BRA
- Brevard BRE
- Broward BRO
- Calhoun CAL
- Charlotte CHA
- Citrus CIT
- Clay CLA
- Collier CLL
- Columbia CLM
- Miami-Dade DAD
- De Soto DES
- Dixie DIX
- Duval DUV
- Escambia ESC
- Flagler FLA
- Franklin FRA
- Gadsden GAD
- Gilchrist GIL
- Glades GLA
- Gulf GUL
- Hamilton HAM
- Hardee HAR
- Hendry HEN
- Hernando HER
- Highlands HIG
- Hillsborough HIL
- Holmes HOL
- Indian River IND
- Jackson JAC
- Jefferson JEF
- Lafayette LAF
- Lake LAK
- Lee LEE
- Leon LEO
- Levy LEV
- Liberty LIB
- Madison MAD
- Manatee MAN
- Monroe MON
- Marion MRN
- Martin MRT
- Nassau NAS
- Ocala OCA
- Okeechobee OKE
- Orange ORA
- Osceola OSC
- Palm Beach PAL
- Pasco PAS
- Pinellas PIN
- Polk POL
- Putnum PUT
- Santa Rosa SAN
- Sarasota SAR
- Seminole SEM
- Saint Johns STJ
- Saint Lucie STL
- Sumter SUM
- Suwanee SUW
- Taylor TAY
- Union UNI
- Volusia VOL
- Wakulla WAK
- Walton WAL
- Washington WAS

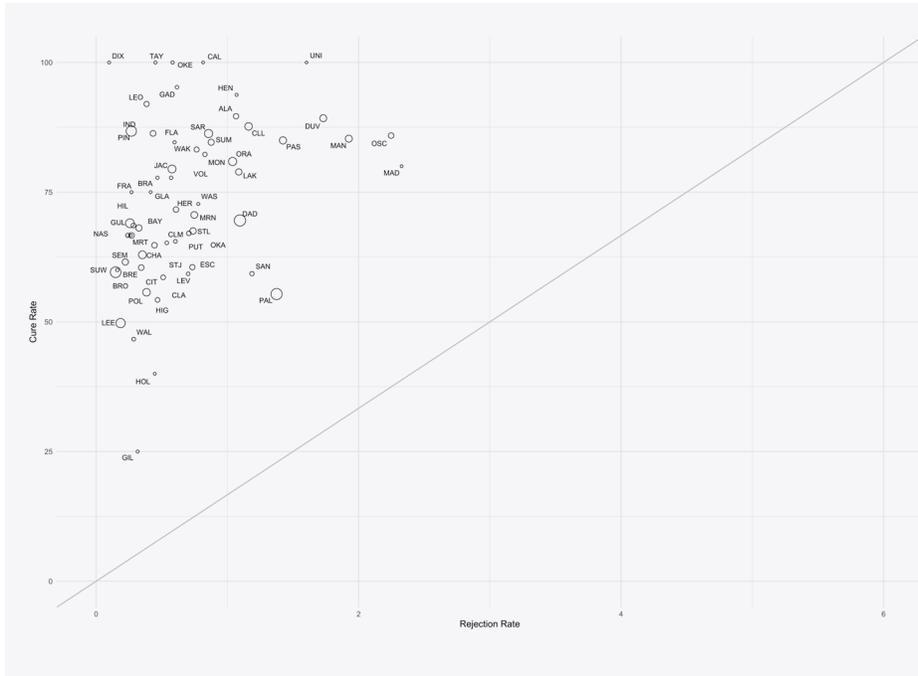
Note: Each point is sized according to the total number of on-time, domestic, non-military VBM ballots cast by each age group in each county, whether or not they were counted. Not shown in these plots are Collier County's initial rejection rates of 6.6 percent of voters aged 18-21, Putnam County's initial rejection rates of 7.1 percent of voters aged 18-21 and 7.2 percent of those 22-25, Flagler County's initial rejection rate of 7.2 percent of voters aged 18-21, and Madison County's initial rejection rate of 9.1 percent of voters aged 30-44.

**Figure 2: Percent of Initially Rejected & Cured VBM Ballots by County, by Age**

**Ages 44-64**



**Ages 64-104**



- Alachua ALA
- Baker BAK
- Bay BAY
- Bradford BRA
- Brevard BRE
- Broward BRO
- Calhoun CAL
- Charlotte CHA
- Citrus CIT
- Clay CLA
- Collier CLL
- Columbia CLM
- Miami-Dade DAD
- De Soto DES
- Dixie DIX
- Duval DUV
- Escambia ESC
- Flagler FLA
- Franklin FRA
- Gadsden GAD
- Gilchrest GIL
- Glades GLA
- Gulf GUL
- Hamilton HAM
- Hardee HAR
- Hendry HEN
- Hernando HER
- Highlands HIG
- Hillsborough HIL
- Holmes HOL
- Indian River IND
- Jackson JAC
- Jefferson JEF
- Lafayette LAF
- Lake LAK
- Lee LEE
- Leon LEO
- Levy LEV
- Liberty LIB
- Madison MAD
- Manatee MAN
- Monroe MON
- Marion MRN
- Martin MRT
- Nassau NAS
- Okaloosa OKA
- Okeechobee OKE
- Orange ORA
- Osceola OSC
- Palm Beach PAL
- Pasco PAS
- Pinellas PIN
- Polk POL
- Putnum PUT
- Santa Rosa SAN
- Sarasota SAR
- Seminole SEM
- Saint Johns STJ
- Saint Lucie STL
- Sumter SUM
- Suwanee SUW
- Taylor TAY
- Union UNI
- Volusia VOL
- Wakulla WAK
- Walton WAL
- Washington WAS

Note: Each point is sized according to the total number of on-time, domestic, non-military VBM ballots cast by each age group in each county, whether or not they were counted. Not shown in these plots are Collier County's initial rejection rates of 6.6 percent of voters aged 18-21, Putnam County's initial rejection rates of 7.1 percent of voters aged 18-21 and 7.2 percent of those 22-25, Flagler County's initial rejection rate of 7.2 percent of voters aged 18-21, and Madison County's initial rejection rate of 9.1 percent of voters aged 30-44.

## VBM BALLOTS BY COUNTY, BY RACE/ ETHNICITY

As shown earlier, there is considerable variation in the rejection rates of VBM ballots across the state 67 counties when it comes to the race/ethnicity of voters. Although only 0.8 percent of all VBM ballots cast by white voters were initially rejected in the 2020 election, 1.4 percent of VBM ballots cast by AAPI and Black voters were initially rejected, and 1.3 percent of VBM ballots cast by Hispanic voters were initially rejected as well.

What is more telling, however, is that there is considerably greater variation in the rejection and cure rates within counties among different racial/ethnic groups of VBM voters. To easily visualize the sizeable disparity in the rates of rejected VBM ballots cast by racial and ethnic groups within counties, figure 3 reports the percentage of VBM ballots that were initially rejected (x-axis) and of those, the percentage that were ultimately cured (y-axis), broken down by AAPI voters, Black voters, Hispanic voters, other racial and ethnic voters, and white voters in the 2020 general election. Figure 3 allows us to compare the rejection and cure percentages across racial and ethnic groups of voters, as effectively it provides a ratio of cured to initially rejected VBM ballots for each racial/ethnic group within each county. In each of the five plots, if the ratio of VBM ballot rejection rates and VBM ballot cure rates were the same in each county, they would be identical relative to the diagonal 45 degree lines in the plot. Higher ratios indicate that a county is performing relatively well, that is, the initial VBM ballot rejection rate is lower and the cure rate is higher. These counties appear in the upper-left region of each of the plots. In contrast, lower ratios indicate that a county is performing relatively poorly, that is, they have higher initial rejection rates and lower cure rates. These counties appear in the bottom-right region of the plots.

Across the state's 67 counties, the initial rejection rates for Black voters range from a high of 5.0 percent in Collier County, to 2.8 percent in Duval County, to a low of 0.2 percent in Broward County, as shown in figure 3.<sup>13</sup> There was a similar wide range across the 67 counties of initial rejection rates among Hispanics who cast VBM ballots, as depicted in figure 3. In Putnam County, 5.3 percent of the more than 200 VBM ballots cast by Hispanic voters were initially rejected, followed by Manatee County at 3.8 percent.<sup>14</sup> Many smaller counties did not reject a single VBM ballot cast by Hispanic voters, but among the relatively larger counties, Broward County had the lowest initial rejection rate at just 0.1 percent.

# The persistent variance in the rate of rejected VBM ballots across Florida's 67 counties suggests at a minimum that the VBM ballot envelope design, the civic education efforts by SOEs, or evaluation standards used by county SOEs and their canvassing boards are not uniform across the state.

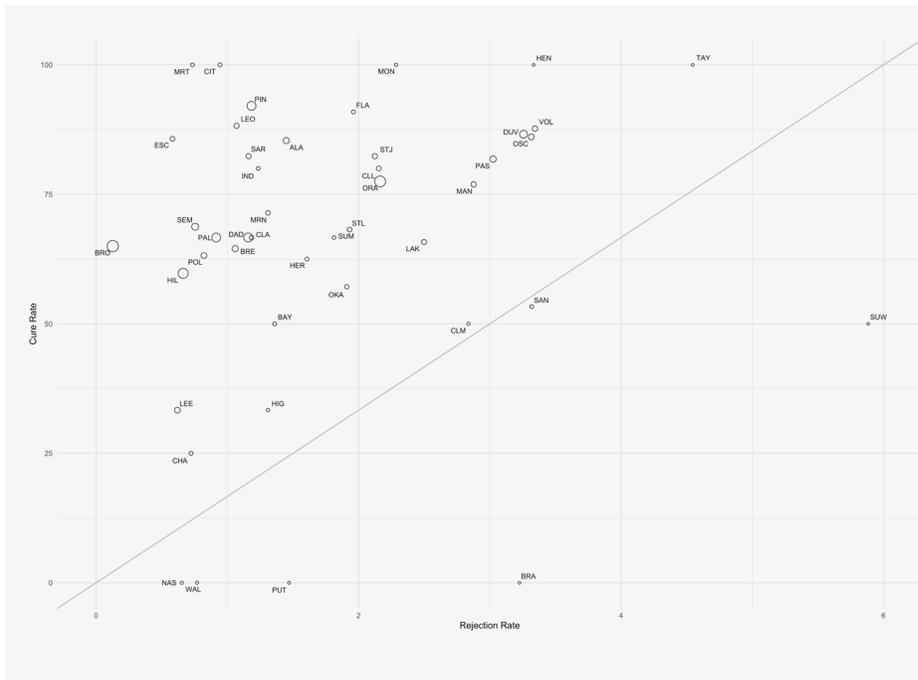
The plots show that the most counties fall above the 45 degree line, indicating that VBM initial rejection rates for all racial and ethnic groups are relatively low, as well as that VBM cure rates are relatively high, across most of Florida's counties. Nonetheless, many counties that fall above the line still record relatively high initial rejection rates and low cure rates for various groups as well. Clearly, white voters across virtually all Florida counties were less likely to have their VBM ballots initially rejected, although white voters were as or nearly as likely to cure their VBM ballots as other racial/ethnic groups. The persistent variance in the rate of rejected VBM ballots across Florida's 67 counties suggests at a minimum that the VBM ballot envelope design, the civic education efforts by SOEs, or evaluation standards used by county SOEs and their canvassing boards are not uniform across the state.

<sup>13</sup> Franklin, Holmes, and Lafayette counties each had initial rejection rates of 0.0 percent for Black voters.

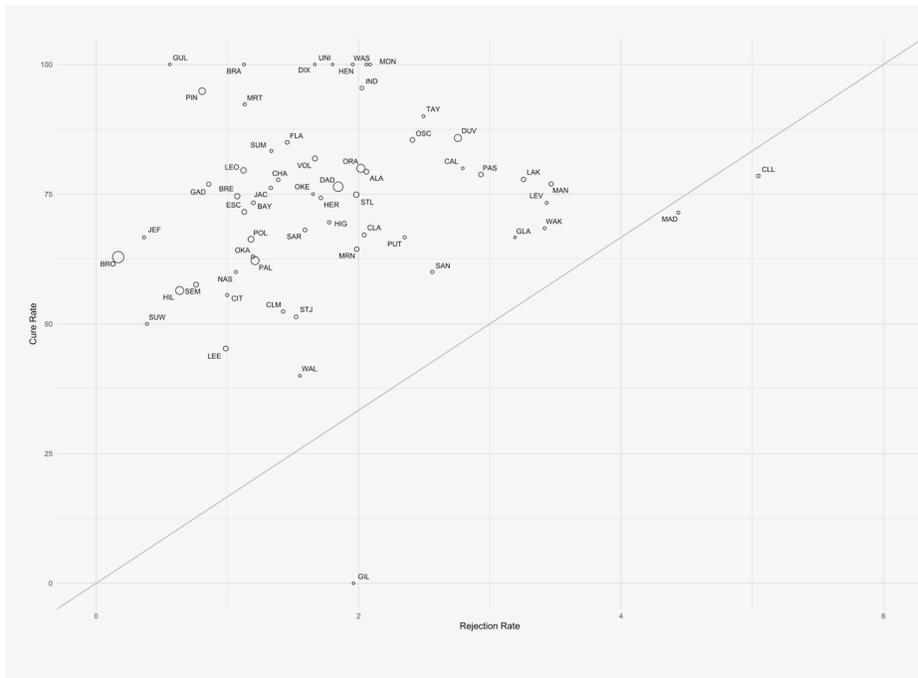
<sup>14</sup> Dixie County rejected one of the 17 VBM ballots cast by Hispanics, which gives it the highest initial rejection rate of all the 67 counties at 5.6 percent.

**Figure 3: Percent of Rejected & Cured VBM Ballots by Race/Ethnicity, by County**

**AAPI**



**Black**

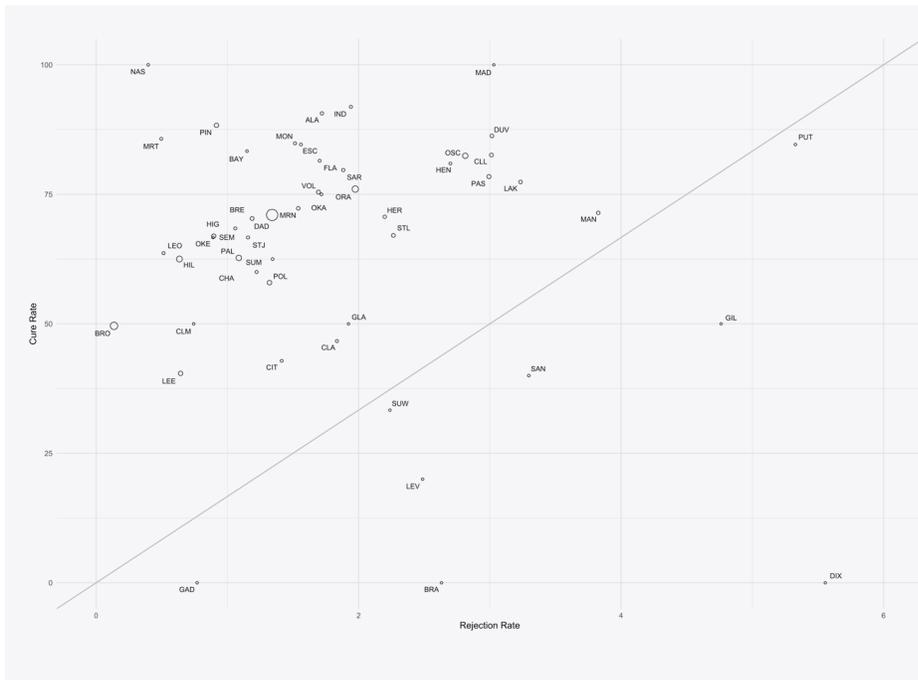


Note: Each point is sized according to the total number of on-time, domestic, non-military VBM ballots cast by each racial/ethnic group in each county.

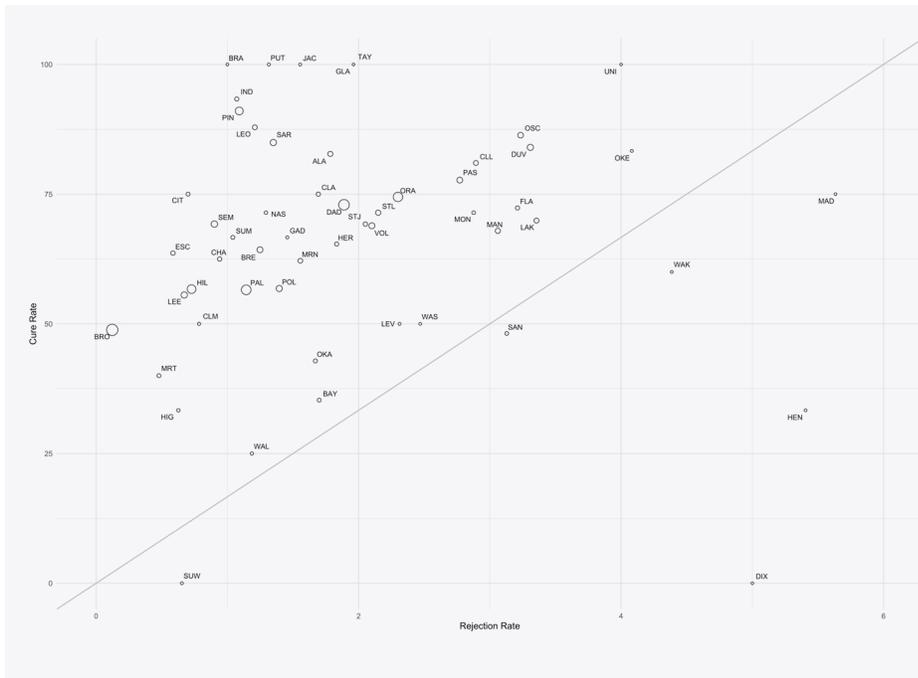
- Alachua ALA
- Baker BAK
- Bay BAY
- Bradford BRA
- Brevard BRE
- Broward BRO
- Calhoun CAL
- Charlotte CHA
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- Jefferson JEF
- Lafayette LAF
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- Lee LEE
- Leon LEO
- Levy LEV
- Liberty LIB
- Madison MAD
- Manatee MAN
- Monroe MON
- Marion MRN
- Martin MRT
- Nassau NAS
- Ocala OCA
- Okeechobee OKE
- Orange ORA
- Osceola OSC
- Palm Beach PAL
- Pasco PAS
- Pinellas PIN
- Polk POL
- Putnum PUT
- Santa Rosa SAN
- Sarasota SAR
- Seminole SEM
- Saint Johns STJ
- Saint Lucie STL
- Sumter SUM
- Suwanee SUW
- Taylor TAY
- Union UNI
- Volusia VOL
- Wakulla WAK
- Walton WAL
- Washington WAS

**Figure 3: Percent of Rejected & Cured VBM Ballots by Race/Ethnicity, by County**

**Hispanic**



**Other**

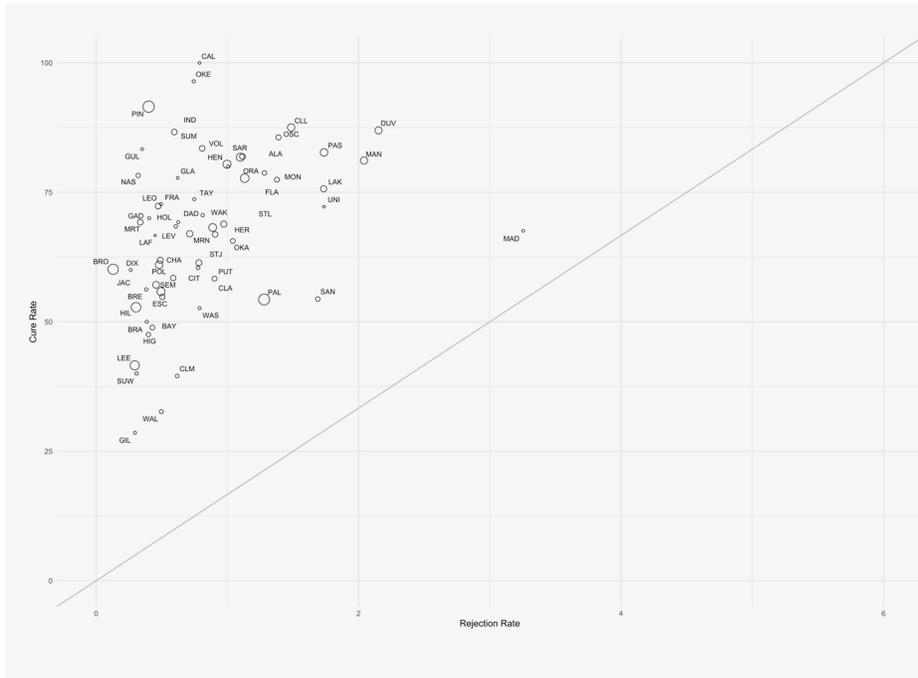


- Alachua ALA
- Baker BAK
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- Charlotte CHA
- Citrus CIT
- Clay CLA
- Collier CLL
- Columbia CLM
- Miami-Dade DAD
- De Soto DES
- Dixie DIX
- Duval DUV
- Escambia ESC
- Flagler FLA
- Franklin FRA
- Gadsden GAD
- Gilchrest GIL
- Glades GLA
- Gulf GUL
- Hamilton HAM
- Hardee HAR
- Hendry HEN
- Hernando HER
- Highlands HIG
- Hillsborough HIL
- Holmes HOL
- Indian River IND
- Jackson JAC
- Jefferson JEF
- Lafayette LAF
- Lake LAK
- Lee LEE
- Leon LEO
- Levy LEV
- Liberty LIB
- Madison MAD
- Manatee MAN
- Monroe MON
- Marion MRN
- Martin MRT
- Nassau NAS
- Okaloosa OKA
- Okeechobee OKE
- Orange ORA
- Osceola OSC
- Palm Beach PAL
- Pasco PAS
- Pinellas PIN
- Polk POL
- Putnum PUT
- Santa Rosa SAN
- Sarasota SAR
- Seminole SEM
- Saint Johns STJ
- Saint Lucie STL
- Sumter SUM
- Suwanee SUW
- Taylor TAY
- Union UNI
- Volusia VOL
- Wakulla WAK
- Walton WAL
- Washington WAS

Note: Each point is sized according to the total number of on-time, domestic, non-military VBM ballots cast by each racial/ethnic group in each county.

**Figure 3: Percent of Rejected & Cured VBM Ballots by Race/Ethnicity, by County**

**White**



Note: Each point is sized according to the total number of on-time, domestic, non-military VBM ballots cast by each racial/ethnic group in each county.

Alachua	ALA
Baker	BAK
Bay	BAY
Bradford	BRA
Brevard	BRE
Broward	BRO
Calhoun	CAL
Charlotte	CHA
Citrus	CIT
Clay	CLA
Collier	CLL
Columbia	CLM
Miami-Dade	DAD
De Soto	DES
Dixie	DIX
Duval	DUV
Escambia	ESC
Flagler	FLA
Franklin	FRA
Gadsden	GAD
Gilchrest	GIL
Glades	GLA
Gulf	GUL
Hamilton	HAM
Hardee	HAR
Hendry	HEN
Hernando	HER
Highlands	HIG
Hillsborough	HIL
Holmes	HOL
Indian River	IND
Jackson	JAC
Jefferson	JEF
Lafayette	LAF
Lake	LAK
Lee	LEE
Leon	LEO
Levy	LEV
Liberty	LIB
Madison	MAD
Manatee	MAN
Monroe	MON
Marion	MRN
Martin	MRT
Nassau	NAS
Okaloosa	OKA
Okeechobee	OKE
Orange	ORA
Osceola	OSC
Palm Beach	PAL
Pasco	PAS
Pinellas	PIN
Polk	POL
Putnum	PUT
Santa Rosa	SAN
Sarasota	SAR
Seminole	SEM
Saint Johns	STJ
Saint Lucie	STL
Sumter	SUM
Suwanee	SUW
Taylor	TAY
Union	UNI
Volusia	VOL
Wakulla	WAK
Walton	WAL
Washington	WAS



## Conclusion

When it comes to casting a VBM ballot, younger, racial and ethnic groups, and newly registered voters are more likely to have their VBM ballots rejected, as compared to older, white, and longer registered voters. But due to the state's cure process, younger voters and voters of color who had their VBM ballots initially flagged by SOEs for deficiencies with the return security envelope fixed problems with their ballots to minimize the gulf in VBM ballots initially rejected by SOEs. As a result, Florida's cure process has narrowed the overall rejection rate between younger and older VBM voters, as well as racial and ethnic voters and white voters. Newly registered voters who cast VBM ballots that were initially rejected, however, were not so fortunate at curing their VBM ballots.

If rejection rates of VBM ballots were consistent across the state's 67 counties, one might chalk these disparities in VBM rejection rates up to the failings of younger voters and voters of color to cast their VBM ballot properly. But the great disparities among these groups of voters across counties suggests that the onus of responsibility for VBM ballots to be validated in the Sunshine State also falls on county SOEs and canvassing boards. Voters casting mail ballots in some counties—regardless of their age, race/ethnicity, or date of registration—are likely not receiving equal treatment when having their VBM ballots evaluated by SOEs, or opportunities to cure their VBM ballots if they encounter problems upon receipt by local election officials, as similar voters in other counties.

It is well past time for uniform application and enforcement of processing and validating of mail ballots to be in place in Florida. This extends not only to VBM return envelope design, pre-paid postage, remote secure ballot dropoff locations, but also to the processing of VBM ballots by SOEs and their staff. There is a continued need for better training and uniform guidelines for the validation of signatures on return VBM ballot envelopes by the 67 canvassing boards. Voters should have a longer period after Election Day—extending from two days to 10 days—to provide a cure affidavit to correct any problems with their timely VBM ballot. Voters should also be able to have their VBM ballot count as long as it is postmarked by Election Day, and received within ten days of Election Day, an opportunity military and overseas voters casting VBM ballots are afforded. The cure process for VBM ballots with problematic signatures in Florida has been in place for three general elections, but the standards by which counties are to issue and verify VBM ballot cure affidavits remains much to be desired.

## A. A Methodological Note on VBM (“Absentee”) Daily Upload Data

This report relies on data made available by the FDOE, specifically the October 6, 2020, (book closing) statewide voter file which contains unique statewide Florida voter identification numbers and voter demographics (age, race/ethnicity, registration date, county registration).

I link the statewide voter file using unique voter IDs to daily VBM (“absentee”) ballot files created by the 67 SOEs and submitted to the FDOE. Each absentee ballot file, uploaded daily pre-election and post-election by SOEs, lists the disposition of a county’s slate of VBM ballots as of the date of the file. To assess whether a VBM ballot was initially rejected but then cured, I assess changes of a voter’s VBM ballot status in the sequentially uploaded daily absentee ballot files. The final ballot status code in a county’s uploaded daily absentee file (November 18, 2020) is taken to be the voter’s final, determinative VBM ballot status.

According to the Division of Elections, Rule 1S-2.043, F.A.C., Form DS-DE 145, which went into effect in 2015, there are eight “applicable codes for [VBM ballot envelope] reporting purposes.”

**C:** Use when a voter cancels a request for vote-by-mail ballot. **E:** Use when there is any voter-caused error in a returned vote-by-mail ballot other than a failure to sign the Voter’s Certificate. **N:** Use when a voter returns a vote-by-mail ballot with no signature on the Voter’s Certificate. **P:** Use when the vote-by-mail ballot is provided to the voter by any proper means of delivery (mail, fax, etc.). (Only record one ballot provided per voter.) **R:** Use when the supervisor has processed a vote-by-mail ballot request and determined that the voter is eligible to vote-by-mail for that election. **S:** Use when a voter has or makes a standing request to receive a vote-by-mail ballot for all elections occurring from the date of the request through the end of the calendar year for the second ensuing regularly scheduled general election. (Once the supervisor determines that the voter is eligible to vote-by-mail in a particular election, the status of the standing request for that election is recorded as “R”.) **U:** Use when a vote-by-mail ballot is returned as undeliverable to the address where it was sent. **V:** Use when a voted vote-by-mail ballot is returned and received in the supervisor’s office and does not otherwise fall into a status code of E, N, or U. NOTE: The code for each voter shall be updated daily so that each voter has only one code associated with the voter’s record. For example, a prior report for a voter reflecting an “S” will be changed on a subsequent report to an “R” if the voter is determined eligible to vote in the election.<sup>15</sup>

In the absentee daily upload files, rejected VBM ballots are identified by codes “E” (“voter-caused error”), “N” (missing signature), and “X” (a signature issue (Sarasota County, only)). VBM ballots with a code of “V” in the daily upload files indicate the SOE received a valid VBM ballot. VBM ballots that were initially coded as rejected, but then changed in a subsequent daily file to voted, are deemed cured. There are numerous data anomalies in the daily VBM files. For example, there are 1,261 discrete daily VBM codes that stretch across the 45 days prior to Election Day and 15 days after Election Day, including sequences of VBM ballots codes for a unique voter, including 92 voters who had the following sequence of codes: RPPVVE, indicating a voter had a requested VBM ballot (“R”), which was subsequently recorded as provided (“P”), which was subsequently recorded as voted (“V”), and so forth, until it was finally recorded as having a voter-caused error (“E”). Furthermore, there are over 8,000 voters listed in the final daily upload file (November 18, 2020), that have a “Absentee Request Status” ballot status code that is not a “V”, even though these VBM voters had a “V” in at least one previous day’s daily upload. It is not possible to determine why there would be such a recorded change—from a VBM ballot deemed to be valid to a VBM ballot that does not count. To be sure, election administration records Florida, as scholars have shown, are not without errors (Shino et al. 2020).

When compiling the official daily (absentee) VBM county files, there are numerous inconsistencies. Most notably, there are multiple entries for numerous individuals with unique voter IDs. When there are duplicate entries for voters with unique voter IDs, (e.g., a single VBM voter is listed in a county’s daily activity file twice, once as having cast a valid VBM vote and separately once as having cast a VBM ballot with a missing signature), I make a conservative decision in the direction of assuming that inconsistent records connote valid VBM ballots, thereby dropping the record with an invalid VBM ballot.

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<sup>15</sup> Bolded emphasis added.



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