

November 19, 2019

The Honorable Ken Detzner
Secretary of State
Florida Department of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Mr. Detzner:

The 2018 elections again have placed Florida at the epicenter of our nation's democratic system. Our democratic system of government depends upon trust: trust that all valid votes will be counted, trust that our election officials will act fairly and competently, and trust that the election process will be fair, transparent and efficient. Unfortunately, many of our Supervisors of Elections failed during this election, which has led to a further undermining of confidence by voters.

While there are too numerous irregularities in the 2018 election process to enumerate, below are a list of mistakes, errors and failures that plagued the vote counting process in Broward and Palm Beach Counties since election day:

- The belated submission by the Broward Canvassing Board of the state mandated machine recount by the deadline on Thursday, November 15, 2018.
- A 2,040 vote discrepancy between the second unofficial results and the first unofficial results reported to the State by the Broward Supervisor of Elections, without any evidence that votes were actually missing.
- The Broward Supervisor of Elections and Broward Canvassing Board refused to certify and failure to submit the completed machine recount results to the State as mandated by Florida law.
- The failure of the Broward County Canvassing Board to provide a detailed explanation to the Florida Secretary of State as to why the machine recount was untimely completed.
- Inexplicable problems with logic and accuracy tests which required a second logic and accuracy test to be performed on certain voting machines, creating delay.
- The Broward County Supervisor of Elections staff improperly opening 205 provisional ballots before submitting them to the Broward Canvassing Board for review.
- The Broward County Supervisor of Elections staff improperly commingling 25 rejected provisional ballots with the 205 accepted provisional ballots, resulting in the counting of 25 illegal votes.

- The Broward County Supervisor of Elections staff representing that vote totals submitted to the Broward Canvassing Board on Saturday, November 17, 2018, were “final,” but then upon questioning by the Canvassing Board, admitting that overseas ballots submitted after the first official results and 27 cure affidavit ballots were not included.
- The report by a worker that another Broward County Supervisor of Elections volunteer was filling in votes on election day ballots on which there were undervotes for certain races.
- A box of blank provisional ballots and other election supplies were found on Sunday, November 11, 2018, in the trunk of a returned rental car at Avis Rental Car at the Fort Lauderdale International Airport.
- Upon review of documents received pursuant to a public records request, 39.5% of all vote by mail ballots counted on election day or thereafter in Broward County, were logged with a “return date” of after 7 pm on Tuesday, November 6, 2018. The postal official who signed a pre-7pm pick-up receipt could not verify the contents of the document.
- The Broward County Canvassing Board lacked any cognizable standards for verifying signatures on absentee ballots.
- The Broward County Supervisor of Elections printed ballots that had design imperfections whereby the United States Senate Race was listed below the ballot instructions.
- The Broward Supervisor of Elections created, published and distributed inaccurate forms regarding the proper time for cure affidavits, and improperly listed November 8, 2018, instead of the approved language by the Division of Elections.
- The Palm Beach Supervisor of Elections was unable to complete the state mandated machine recount when machines reportedly overheated.
- The Palm Beach Supervisor of Elections was unable to complete a manual recount for the Commissioner of Agriculture race.

Any one of these irregularities should be considered unacceptable in a competently run election process by our Supervisors of Elections. In tandem, these irregularities call into question the validity of our voting processes in Florida. These are not mere technicalities, but substantive errors that go to the heart of our democratic system of government.

Reforms are necessary. A chain of custody for all votes must be recorded and validated for accuracy. Voting machines should be tested and capable of performing necessary counting and recounting functions. Supervisors of Elections and their staffs should be adequately trained to perform the basic functions of their jobs. Supervisors of Elections must communicate their processes to the public better to avoid accusations and innuendo about the motives of those Supervisors. Voters should be better instructed, through loop video tutorials at election sites or on the Supervisors of Elections’ websites, to inform them how to complete their ballots properly and completely. Time periods should be extended for machine and manual recounts to ensure adequate

time to count the votes, and there should be processes for Canvassing Boards to request extensions of time to submit accurate recount returns. Supervisors of Elections, who are involved in the counting, should not be placed in a conflict of interest scenario whereby they sit on both the Canvassing Board and as Supervisor of Elections. The County Canvassing Boards should be wholly neutral and independent bodies. There should be full transparency in the vote counting process, just like there is during the Canvassing Board process; the canvassing may be public, but the votes are currently delivered, sorted and counted in secrecy.

I welcome the opportunity to be involved in the solutions to Florida's election system crisis. We cannot afford to have another election that produces similar delays, irregularities and questions over the validity of the election system. The next elections will also produce close races. Let's get in front of this problem now so we can be the model for fair, free and open elections, instead of the target of national criticism and derision.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Matt Caldwell". The signature is stylized and cursive.

Matt Caldwell