

## ***10 Statewide Research Findings for Consideration in Florida Election Policy and Legislation Formulation***

*Critical areas of vulnerability that current Florida laws fail to address:*

- 1) Ensuring only U. S. citizens are involved in the administration of and voting in our elections**, including by accessing election equipment, ballots, or any other relevant materials used in the conduct of our elections (as required in President Trump's Executive Order 14248 for federal elections).
  - a. A review of 26 supervisor of election (SOE) contracts with temporary staffing agencies in 2024 revealed that none required the workers to be U. S. citizens, Florida residents, or county residents: [Temporary Agency Contracts](#).
  - b. Many temporary agency staffing contracts do not even require E-Verify.
  - c. An analysis of non-U. S. citizens removed from three Florida counties revealed that many of the non-U. S. citizens were registered to vote for several years and voted. Additionally, the SOE in these three counties did not report removals to the Office of Election Crimes and Security (OECS):
    - [Non-Citizen Removals.pptx](#)
    - [Election Crimes and Security - Florida Department of State](#)
- 2) Maximizing vote-by-mail security to ensure voters unable to vote in person have their vote accurately counted** (President Trump's planned executive order, as discussed in his recent press conference and interview, restricts vote-by-mail to only those unable to vote in person, e.g. military, disabled, snowbirds, ...). Switching from a no-excuse to a qualified vote-by-mail policy, as already done in 14 states, can achieve this.

- a. Vote-by-mail has many more vulnerabilities than in-person voting: [Vulnerabilities in Florida Elections](#) and there is no means to fully mitigate all of the risks, e.g. within the postal system and voter coercion.
- b. Fourteen states currently have a qualified vote-by-mail policy, including the 4 states ranked highest for election security by the Heritage Foundation – Arkansas, Tennessee, Louisiana, and Alabama: [2024 EAVS Report 508c.pdf](#)..
- c. The percentage of ballots cast by mail in states with a qualified vote-by-mail policy is 70% less than the national and Florida average: [2024 EAVS Report 508c.pdf](#).
- d. Reducing the vote-by-mail volume reduces the risk of fraud and reduces cost.
- e. President Trump's directives and upcoming executive order ask for limiting vote-by-mail to those who are unable to vote in person and it is anticipated he will be calling for a qualified vote-by-mail policy in his upcoming executive order: [President Trumps Executive Orders and Directives](#).

**3) Ensuring the security of all election systems, not just voting systems** (as required in President Trumps Executive Order 14248 for federal elections).

- a. Only voting systems are subject to Florida laws on state certification, pre-election testing, and procurement. Other election systems are not certified, but they are extensively used in Florida's election process and can impact the results and expose voter information – mail sorters, automated signature verification, automated duplication, electronic pollbooks, ...: [Public Records Request to DOE for Voting and Other Election System Certification Records.docx](#)

**4) Mitigating the cyber security threats to our voting systems by reducing our reliance on these technologies** (per President Trump’s directives and upcoming Executive Order). In Secretary of State Byrd’s committee testimony, he stated that the cyber security issue “...would scare you to death...we know the threats are there...hand counting gets very difficult...the challenge becomes the time”. Secretary Byrd asserts that Florida’s cyber navigators and 100% machine validation of results before certification can adequately address cyber risks.

- a. Florida citizen cyber experts disagree with the vendor talking point, that a machine is a good way to verify voting system accuracy. Position papers on why hand counting is needed to cross-check voting systems throughout the election process include:
  - [Position Paper on Manual Cross-Checks v3.pdf](#)
  - [Emails Sent To Legislators on Machine Audit Issues](#).
- b. Hand-counting ballots for one randomly selected race in each precinct on election night would do far more to build voter trust than using one machine vulnerable to malware to verify another.
- c. A law allowing hand or machine counting of ballots as backup during a cyber-attack or to follow expected executive orders is prudent.
- d. Secretary Byrd’s committee testimonies and his assessment of hand counting appear to have heavy reliance on Federal and vendor experts. We invite Secretary Byrd to meet with hand counting experts and conduct and counting trials to better assess the feasibility. This video provides a concept of operation for hand counting that enables timely reporting: [Hand Counting Video](#).
- e. The legislative proposal on single day voting with hand counting of paper ballots offers a phased approach with measures to

make it practical while maintaining an option for hybrid hand and machine counting operations.

*A different perspective on some of Florida's election policy assumptions:*

**5) Secretary Byrd stated in committee that Florida has excellent election transparency that builds trust. Citizens wholeheartedly agree that transparency is critical for trust. However, from our perspective, opacity in many areas is fueling distrust:**

- a. Responses to election record requests vary widely among SOEs. Some SOEs provide information requested immediately and without charge, while others take weeks to respond, impose high fees, or deny the request altogether by invoking critical infrastructure exemptions.
- b. Obtaining public records on elections is costly, untimely, and often limited because of the critical infrastructure classifications. Some examples are here: [Public Records Request Invoices](#).
- c. Last year HB1381, sponsored with Secretary Byrd's support, would have classified all voting system reports as part of the voting system, thus SOE could claim critical infrastructure exemptions and not release any reports. In a fully transparent election, the voting system reports would be published on the Division of Elections website.
- d. The Division of Elections redefined DSDE 40 reports to obscure critical information on duplicate and blank ballots. This ferments distrust.
- e. Much of the vote-by-mail process cannot be observed: [Vote By Mail Transparency.pptx](#)

- e. While there is extensive observation of polling places, observers cannot verify voting system accuracy or determine if ballots are scanned after hours.
- f. Some citizens who raise issues while observing or at canvassing board meetings are either ignored or retaliated against, being removed or accused of trespassing. When they attempt to escalate to the state hotline, they report the line is perpetually busy or that their complaints are again ignored.

**6) Secretary Byrd has stated in committee that Florida is the Gold Standard for elections. Others claim Florida is the Platinum Standard. Many improvements are needed to make either claim in 2025:**

- a. The Unite4Freedom Florida scorecard and Palm Beach County prevalence study indicate major issues in Florida's voter registration list accuracy and vote-by-mail processes. The prevalence study found that 12.1% of the voters in the Palm Beach County General Election were unverifiable with a 90% confidence interval: [Unite4Freedom Palm Beach County Prevalence Study](#).
- b. American Thinker rated 10 states higher than Florida for election security measures. According to their research, *there are now 8 states that require proof of citizenship to register to vote, while Florida does not require proof*: [States Where it's Almost Impossible to Prove Voter Fraud - American Thinker](#)
- c. A 2022 report by the University of Michigan ranked Florida 29<sup>th</sup> in the robustness of pre-election logic and accuracy testing: [978-3-031-15911-4 10.pdf](#)
- d. Florida is ranked 5<sup>th</sup> in election security the latest Heritage Foundation rankings: [Election Integrity Scorecard: All State](#)

[Scores | The Heritage Foundation](#). Arkansas, Tennessee, Louisiana, and Alabama are ranked higher than Florida.

- e. Arkansas, Tennessee, Louisiana, and Alabama, ranked highest in election security by the Heritage Foundation—outperformed Florida in managing vote-by-mail and maintaining accurate voter registration lists.
- f. No state can claim they are the Gold or Platinum Standard for elections unless they can meet financial and defense industry standards because our vote is as important as our money and is the cornerstone of our freedom: [KEY ELECTION ACTION: EO Mandating Audits Before Elections, Performed by Independent Auditors, Ensuring Election Integrity | Joe Hoft](#).

**7) Florida's election policies assume signature verification is sufficient to ensure only ballots from legal voters are accepted. Our concerns are:**

- a. The signatures collected electronically at the DMV limit the accuracy of signature verification because they lack detail.
- b. Some larger counties use automated signature verification using uncertified technologies. The accuracy and security of these technologies is unknown.
- c. Autopen technology is widely available and can be used to print signatures undistinguishable from human handwriting based on a sample signature: [Autopen - The Autopen Company](#)  
There are many ways bad actors can obtain sample signatures for input to the autopen – system or database breaches, petitions, rogue employees, ...
- d. Public inspection (candidate and designee inspection of vote-by-mail ballot signatures) is only done on a sub-set of ballots. Inspectors report their objections are often ignored, and some

counties use an uncertified signature display instead of allowing public inspectors to look at the original signature.

- e. Without independent procedural audits, no one knows if manual or automated signature verification is done properly or performed on all vote-by-mail ballots.
- f. If bad actors are willing and able to forge signatures on petitions, they are willing and able to forge signatures on vote-by-mail ballots: [oeecs-supplemental-report-04-16-2025.pdf](#).
- g. A position paper that describes these issues in more detail is available here: <https://handcountroadshow.org/sigver/>

*Some of Florida's election policies, rules, and laws are not being implemented or enforced:*

## **8) Vote-by-Mail Ballot Controls**

- a. Analysis of over 1,000 completed ballot chain of custody records from the 2022 General election identified repeated failures including missing forms, incomplete forms, forms that don't require key information (e.g. ballot quantities), and forms that indicate unacceptable transport times. Many SOE security plans do not discuss procedures or forms for vote-by-mail ballot chain of custody. Samples of issues found and the full set of chain of custody forms analyzed can be viewed here:

- [Samples of Issues Found on Chain of Custody Forms](#)
- [All Chain of Custody Forms Examined](#)

These illustrate the need for statewide vote-by-mail ballot chain of custody guidelines and independent procedural audits to ensure they are followed.

- b. In Secretary Byrd's committee presentation, he stated that the voter must sign a form to allow a third party (designee) to

request a vote-by-mail ballot on their behalf. The current form does not require the voter's signature when a ballot is requested by a third party and allows the third party to change the mailing and registration address: [ds-de-160-statewide-vote-by-mail-request-eng-fillable-eff-20240417.pdf](https://ds-de-160-statewide-vote-by-mail-request-eng-fillable-eff-20240417.pdf).

- c. While statute 101.62 requires a voter to provide their personal identifiable information to obtain a vote-by-mail ballot, approximately 500,000 vote-by-mail ballots are recorded as issued in the 2024 General Election without obtaining the required information: <https://krisjurski.substack.com/p/half-a-million-mail-votes-with-no>. Some of the discrepancy is likely due to the timing of statute implementation, but large variations between counties indicate a serious issue.

## 9) Voting System (Tabulator) Controls

- a. In Secretary Byrd's 10.8.25 presentation, he stated that all tabulators are publicly tested before each election. Observers report that only a sub-set of tabulators are publicly tested and many counties' election security plans state the same: [Excerpts From Security Plans on Logic and Accuracy Testing.pdf](#)

A supervisor of election could easily test one set of machines and swap in another set the day of the election that remain untested.

Additionally, any programmer can subvert the pre-election testing by including a "logic bomb" that only manifests during the election.

- b. The public testing of tabulators is insufficient to verify that voting system software and firmware is unchanged from the version certified by the state during installation. Several states perform hash validation before each election to ensure bad actors have not modified tabulation systems.



Florida is either not doing hash validation before each election, or it is not publicly documented. As a voting system testing expert in Texas stated in an email obtained through a public records request stated, “I harp on the hash verification process because an insider with sufficient knowledge and physical access can do bad things to systems”: [Texas Hash Email.jpg](#)

- c. Voting systems are at risk of compromise during the lengthy gap between pre-election testing and results reporting, including transport, after-hours handling, and network communications.
- d. Controls to ensure ballots are not fed through the tabulators during off-hours when observation is not possible are missing or not stated in security plans.

**10) Many of Florida’s “Gold Standard” election laws are not being followed or enforced**

- a. Statute 101.015 (4a) requires written ballot chain of custody from receipt from the printer through destruction. However, citizen audits of ballot chain of custody forms found many instances of missing forms, incomplete forms, and excessive travel times. There are no state or independent procedural audits to ensure this law is being followed. *In 100% of the counties “audited” using public records, the vote-by-mail transport chain of custody records could not be reconciled with the number of vote-by-mail ballots recorded as received.*
- b. Statute 104.011 makes it a third-degree felony to make a false statement on a voter registration application. An analysis of removals of ineligible voters in three Florida counties showed hundreds of non-citizens were removed from Florida’s voter rolls, with some being on the voter roll for many years and voting, and none of the non-citizens removed were reported by an SOE to the Office of Election Crimes and Security group for violating s 104.011. OECS investigations of violations of s104.011

appear to be mostly initiated by OECS or other states and few investigations have been reported as resulting in convictions.

- c. Statute 102.012 requires all poll workers to be electors in the county they work in. However, some temporary staffing agency contracts for poll workers do not include this requirement.
- d. A whistleblower reported and provided a letter from Florida Department of Children and Families (DCF) to one election security group indicating that Florida's DCF is soliciting non-citizens to register to vote, in violation of s104.91: [BREAKING EXCLUSIVE: Government Agencies Illegally Soliciting and Potentially Entrapping Non-Citizens to Register to Vote | Joe Hoft](#)
- e. Voter roll analysts have also identified violations of statutes 98.045, 97.041, 98.015, and 101.001.
- f. Formal citizen complaints to the office of the Secretary of State and OECS have not been addressed: [Citizen Complaints Not Addressed Citizen Complaints Without Response](#).

Election security groups respectfully request consideration of proposed comprehensive legislation to make Florida compliant with financial and defense industry standards and make President Trump's executive orders and directives Florida law:

- Comprehensive Bill Summaries: [Election Security Comprehensive Bill Flyers](#)
- Comprehensive Bills: [All Comprehensive Election Security Bills](#)

In the 2026 legislative session, Florida must at least enact smaller priority bill alternatives that focus on the components of the comprehensive bills that are most needed to comply with President Trump's executive orders and address the highest risks:

- [Five 1-2 Page Priority Bills](#)

- [Five 10-15 Page Priority Bills](#)

This legislation adds controls and requires transparency to ensure Florida voters, candidates, and political parties can trust our election process.

**Many of these legislative proposals also reduce costs:**

- a. Using DMV reports of Florida IDs surrendered to other states to obtain a new ID in a new state to identify and remove out-of-state movers, could have removed 522,231 out-of-state movers in 2024 and saved \$2.6 million in mailing costs over 5 mailings.
- b. Requiring people with incomplete or undeliverable addresses to vote in-person until their address on record is updated could have saved 10's of thousands in mailing costs in the 2024 General Election.
- c. Reducing the temporary staffing (largely used to process vote-by-mail ballots) could have saved over \$15 million in just a handful of Florida's largest counties in 2024. The opportunity for savings extends across all 67 counties.
- d. Election security organizations have developed a comprehensive model for calculating the total cost of elections and would like to review and refine the model in collaboration with the election official community. Initial analyses using publicly available data indicate that hand counting of paper ballots is much more economical than machine counting for both ballot tabulation and audit processes.

**These legislative proposals also address concerns SOEs have expressed:**

- Increasing polling place flexibility and security
- Staffing for polling places and vote-by-mail processing

- Building voter trust
- Lower legal exposure