FYI

Peggy J. Taff
Chief, Bureau of Voter Registration Services
Florida Department of State
Division of Elections
(850) 245-6290

Please take a few minutes to provide feedback on the quality of service you received from our staff. The Florida Department of State values your feedback as a customer. Kurt Browning, Florida's Secretary of State, is committed to continuously assessing and improving the level and quality of services provided to you. Simply click on the link to the "DOS Customer Satisfaction Survey." Thank you in advance for your participation. DOS Customer Satisfaction Survey

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided.

Please note: Florida has a broad public records law. Written communications to or from state officials regarding state business constitutes public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

From: VRNotices-owner@vrsystems.org [mailto:VRNotices-owner@vrsystems.org] On Behalf Of Mindy Perkins
Sent: Friday, December 21, 2007 5:18 PM
To: vrnotices@vrsystems.org
Subject: [VR Notice] Unverified Voters and Conference Call with Secretary Browning

To Voter Focus® Users:
Please make sure you have read the attached memo from Sarah Jane Bradshaw, Active Director, Division of Elections. The e-mail below documents how you will implement the procedures mentioned in the memo.

Unverified voters
This e-mail documents how you will handle unverified voters beginning December 31st. Unverified voters will continue to appear on the ‘Outstanding DLN and SSN Errors Report’ which is located in Voters > Reports. You will perform an application search using the voter identification number provided on the report. You will then click on the ‘HSMV Match’
button in the bottom-right corner. This brings up the comparison of data between what the voter supplied and the HSMV data. You will then click ‘Accept Application Register Voter’. Within a few moments, this applicant will become an active registered voter. You will never select ‘Reject Application as HSMV Incomplete’ as all unverified voters must become registered voters beginning December 31st.

After the unverified voters become registered voters, you will then need to determine if each voter should be a MARG voter. Look at the voter’s Activity tab in the ‘Registration Code’ field. If this voter registered by mail, you will need to see if there are any exemptions as documented in F.S. 97.0535(4) that would exempt them from becoming a MARG voter. If the voter is not exempt, select ‘ID Required to Vote’ on the Maintenance tab. This will mark the voter as a MARG voter who is required to provide identification before voting.

**MARG Letters (Unknown voters)**

You will need to remember to schedule MARG voter letters. This should be a process already documented in your office procedures.

There are two ways the letters can be run. You can choose to only send letters to those who haven't received them or you can choose to send letters to MARG voters every two months.

The default date will repeat voters who are still MARG every two months. The default date would also include those who haven't received them at all.

If you only want to send the MARG letter to each voter once, you will need to enter the same date each time you schedule the letters. So that no MARG voters are repeated, you will need to enter the date of 01/01/2003. That is when MARG voters began. By entering that date, you are asking for all MARG voters who have never received the letter.

Depending on how you want to coordinate the mailing of MARG letters, you will enter the 01/01/2003 date or leave the date as default.

**List of previously unverified voters**

We have been asked by some customers for assistance in providing a list of the unverified voters since 01/01/2006 who will be activated on December 28th. As we did not originally create the list of 14,000 + applicants affected, we are unable to create a list that would be identical to the applicants identified by the State.

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**Mindy J Perkins**
Customer Support Manager

VR Systems Inc
2840 Remington Green Circle
Tallahassee FL 32308

Telephone: 850-668-2838

5/15/2008
MEMORANDUM

TO: Supervisors of Elections
FROM: Sarah Jane Bradshaw, Acting Director, Division of Elections
CC: FVRS Vendors
DATE: December 21, 2007
SUBJECT: Procedures to comply with NAACP Injunction

On Tuesday, December 18, 2007, a federal court issued a preliminary injunction in the case of Florida NAACP v. Browning. The injunction prohibits the Secretary of State from enforcing Section 97.053(6), Florida Statutes. That means that persons submitting completed voter registration applications must be placed in the Florida Voter Registration System (FVRS) as active registered voters, whether or not their driver’s license number, Florida identification card number or the last four digits of the social security number has been verified.

In order to comply with the injunction, these instructions must be followed, effective at the open of business on Monday, December 31, 2007:

For new applications:
1. Applications entered into FVRS will still be sent through the Department of Highway Safety and Motor Vehicles (DHSMV) for verification of the driver’s license number, state identification card number or social security number provided on the application. Those application records for whom numbers could not be verified by DHSMV or the Bureau of Voter Registration Services will continue to be sent to the county.
2. When an unverified record is received by the county, the county must determine if the applicant is a first-time voter who registered by mail for whom identification is required prior to voting (our potential “MARG” voters):

Division of Elections
R. A. Gray Building, Room 316 • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6200 • Facsimile: (850) 245-6125
election.dos.state.fl.us
If the applicant is a MARG voter who does not qualify for any of the exemptions in Section 97.0535(4), Florida Statutes, make sure that the “Identification Required” flag is set. If not, set the flag. Once the identification required flag is set, use the override flag to make the applicant an active registered voter. Send the registered voter a MARG voter letter and a voter information card.

If the applicant is not a first-time voter who registered by mail, use the override flag to make the applicant an active registered voter. Send the registered voter a voter information card.

For existing applications:
The Department of State is making the necessary programming changes so that completed applications entered into FVRS beginning January 1, 2006 through the close of business on Friday, December 28, 2007 for whom the driver’s license number, state identification card number or social security card number still remain unverified, can be re-processed by the Department. The Department will send these applications to the counties as active registered voters after the close of business on Friday, December 28th and before the opening of business on Monday, December 31st.

For applicants that registered by mail and who are not 65 years of age or older, the “Identification Required” flag will be set by the Department of State. If the applicant is a MARG voter who does not qualify for any of the exemptions in Section 97.0535(4), Florida Statutes, send a MARG voter letter and a voter information card. For all others, just send the voter information card.

Your local voter registration system vendors will be providing additional details and instructions specific to your system to ensure that the system complies with the specifications and procedures set out in this memo.

If you have any specific questions regarding these procedures, please contact the Bureau of Voter Registration Services at (850) 245-6290.

SJB/ab

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2 The vendors are making the necessary programming changes to allow the “Identification Required” flag to remain active even after the override flag is activated.

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DOS-2962
MEMORANDUM

TO: Supervisors of Elections
FROM: Sarah Jane Bradshaw
Acting Director, Division of Elections
CC: FVRS Vendors
DATE: December 21, 2007
SUBJECT: Procedures to comply with NAACP Injunction

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2. When an unverified record is received by the county, the county must determine if the applicant is a first-time voter who registered by mail for whom identification is required prior to voting (our potential “MARG” voters1):

1 Section 303(b) of HAVA requires that individuals who register to vote by mail and have not previously voted for federal office in the state must provide identification prior to voting the first time. Applications whose identifying information has been verified are exempt from this requirement, but those applications whose identifying information could not be verified (i.e., the applications at issue in these procedures), are not exempt.

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DOS-2963
• If the applicant is a MARG voter who does not qualify for any of the exemptions in Section 97.0535(4), Florida Statutes, make sure that the “Identification Required” flag is set. If not, set the flag. Once the identification required flag is set, use the override flag to make the applicant an active registered voter. Send the registered voter a MARG voter letter and a voter information card.

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SJB/ab

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