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Fwd: Clarification/Reminders for Upcoming Elections


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 **Lisa Lewis** <llewis@volusia.org>
 To: susanffec@yahoo.com

Nov 7 at 12:29 PM

2nd email from Director Matthews.

Dear Supervisors,

You all may have received a communication from an outside entity expounding on an email that I sent to you all on October 31 about key reminders for the upcoming election.

This is what my email below (reference guides cited in email are available on the SOE Resource webpage) in relevant part said to you - . . . If you have records that are the subject of a request, they may be public record and subject to public disclosure. Additionally, regardless of whether a record exists in your possession is a public record or not, and required or not required under law, be sure to refer to provisions under the Florida Public Records Law including but not limited to section [119.071](#), Fla. Stat. For those utilizing voting systems that are programmed to capture images of ballots as they are scanned, those images may be subject to retention requirements under the public records law. Supervisors of Elections should consult with their county attorney or legal counsel regarding any questions about public records, and the retention and/or disclosure of such records.

With Election Day less than 6 days away, we are not asking you to undo or reprogram machines that have been prepped and already used in this Election. Public testing for logic and accuracy, which could have occurred as early as October 12, is complete and you would have already started with tabulation of early voting ballots and returned vote-by-mail ballots which could have started as early as October 22.

The purpose of the email was to remind you about key points as we go into the final days before Election Day including duties that may exist under public records law, and to the importance of seeking guidance from your county attorney or legal counsel in the event you have questions regarding your obligations under the public records law.

Respectfully,

Maria Matthews, Esq.
 Division of Elections, Director
 Florida Department of State
 500 S. Bronough Street
 Tallahassee, Florida 32399