



April 13, 2020

Governor Ron DeSantis
State of Florida
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Tallahassee, FL 32399-0001
ron.desantis@myflorida.com

Secretary of State, Laurel M. Lee
Department of State
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500 South Bronough Street
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Cc: Supervisors of Elections, Senate President Bill Galvano, and members of the Florida Senate, House Speaker Jose' Oliva and members of the Florida House of Representatives

Dear Governor Desantis and Secretary Lee:

The undersigned organizations write to you to impress the importance and urgency of swiftly adapting our elections process in response to the current Coronavirus disease (COVID-19) pandemic in this critical election year. We are committed to ensuring that every eligible person is able to safely and conveniently register to vote, cast their ballot, and have their vote counted during the upcoming Primary and General Elections while protecting the health and safety of voters and elections personnel alike. Our organizations urge you and other election officials to make all plans necessary to complete the primary election by August 18th, as planned, and the presidential election by November 3rd, in accordance with federal law. Indeed, the very purpose of this letter is to provide guidance on how our state can administer elections without disenfranchising any of our fellow citizens. Given the limited time, we have prepared a number of recommendations that we urge you to consider and adopt swiftly to ensure that voting remains fair, accessible and safe. The attached addendum contains further explanation and a number of additional recommendations.

Voter Registration

COVID-19 may severely disrupt both Floridians' ability to register to vote and elections officials' ability to process registration applications.

- To ensure that voters are able to register, the State must immediately assess, fix, and bolster the online voter registration (OVR) system to ensure it can accommodate a surge in web traffic and is fully accessible to all voters. The state should monitor the system closely throughout the fall so that any problems are quickly addressed. This will be the safest method by which citizens may register to vote.
- Florida should encourage Supervisor of Elections to send applicants a physical hardcopy of a PDF fill-in form for signature.

Voting-By-Mail

The necessity of social distancing makes vote-by-mail an attractive option for more voters. Vote-by-mail may help alleviate the number of Early Voting and Election Day voters at the polls if modified, and delivered in methods that are accessible to all voters, including voters with disabilities. Specifically, Supervisors of Elections (SOEs) should:

- Send eligible voters - active and inactive - Notice of Election material for each election summarizing what the Elections office is doing to protect them during COVID-19 in the 2020 election cycle including Vote-by-Mail Request form requests with links to a printable voter registration form to update signatures and other educational materials that may be developed to facilitate voting this election cycle or a method to request the linked material to be sent by mail. This Notice of Elections should be forwardable.
- All Vote-By-Mail return envelopes ballots should include pre-paid postage.
- An accessible system, certified by the Elections Assistance Commission, that can mark and print ballots online before submission in paper form should be established to allow voters with disabilities to vote privately and independently by mail.
- Requests for Vote-By-Mail Ballots after the mailing date, especially Election Day emergency requests, should be quickly processed for those who are ill or need a designee and fear of COVID-19 should be accepted as an emergency.
- Establish a multi-step signature verification process, incorporating signature verification software, to reduce the opportunity for unnecessary rejections.
- Returned ballots should be accepted if postmarked by or on Election day, and received within ten days after the election; in line with the timeline for military and overseas vote-by-mail federal ballots.
- The period to cure a Vote-by-Mail ballot should be extended to the 10th day after the election to provide voters who are unfamiliar with this voting method sufficient time to make corrections.

Early In-Person Voting

Increasing the availability of Early Voting can help Florida maintain safe, in-person options and limit crowding on Election Day. These Early Voting options should be available at more locations and during nontraditional business hours, such as evenings and both weekend days. Voters should be encouraged to vote in advance of Election Day to minimize crowding of polling places.

- Counties should provide the maximum allowable number of days, and hours per day, of Early In-Person voting to reduce long lines, maintain social distancing, and lessen administrative stress on Election Day. In addition, the Governor should take steps to expand the number of days of early voting allowed as requested by Supervisors of Elections.

Voting on Election Day

- Counties must follow public health guidelines while continuing to provide voting services at polling places. In-person voting is essential given that many people do not have access to mail voting.
- Curbside voting options should be made available, especially for voters with disabilities or illnesses who may not be able to leave their vehicles, but under the circumstances should be available to any voter who feels that voting inside poses a risk to their health. Curbside voting, however, is not a legal cure to inaccessible polling locations.
- Supervisors of Elections should plan to recruit additional poll workers to account for potential absences due to sickness or fear of COVID-19. Plans may include recruiting workers who were displaced or laid off due to the effects of COVID-19 and nonessential federal, state and local workers, expanding student and bilingual poll worker programs, and using temporary staffing agencies appropriately trained.

Voter Education and Combating Misinformation

- Florida's state and local election officials must undertake aggressive voter education campaigns as they make changes to their policies and practices, to ensure voters are informed and to counter any disinformation.
- Counties should provide information about the changes to election procedures and voting locations in all required languages, and offer language assistance remotely in an accessible manner.

Funding

- We recommend that Florida use the CARE Act funds to ensure elections run well in this new environment, including covering costs of expanded remote registration, voting by mail, and expanded early voting opportunities ahead of Election Day; and be prepared to fill gaps that the federal funds do not.

Our organizations share a commitment to ensuring that our voting systems are able to be adapted and accessible at all times. We realize these are unprecedented times, but COVID-19 has created a unique opportunity to work together swiftly and innovatively to better prepare for our upcoming elections. We welcome the opportunity to partner with you and Supervisors of Elections to educate voters and ensure they exercise their right to vote during this presidential election cycle. We are available to meet by conference call and would love the opportunity to work with you on a plan to achieve the central needs for holding successful elections this year. Contact information can be provided for any of the specific organizations below. Please, feel free to send us your written response at brad@allvotingislocal.org and I will distribute that to all of the undersigned organizations.

Sincerely,

All Voting Is Local Florida
ACLU of Florida
Alianza for Progress
Asian American Federation of Florida
Boricua Vota
Campaign Legal Center
Common Cause Florida
Disability Rights Florida
Engage Miami
Fair Elections Center
Faith In Public Life
Florida AFL-CIO
Florida Asian Services
Florida Asian Women Alliance
Florida Center for Fiscal & Economic Policy
Florida People's Advocacy Center
Florida Student Power Network
For Our Future Florida Action Fund
Iniciativa Acción Puertorriqueña
League of Women Voters of Florida
Miami Freedom Project
Mi Familia Vota
NAACP Florida State Conference
National Congress of Black Women, Florida Chapter
New Florida Majority
Organization of Chinese Americans - South Florida Chapter
Progress Florida Education Institute
Southern Poverty Law Center Action Fund
The Common Ground Project
The Florida Civic Engagement Table
The Lawyers' Committee for Civil Rights Under Law
The Voting Rights Lab
Vamos4PuertoRico