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Civic Groups Write Justice Department, Urge Rejection of New Florida Law Raising Roadblocks to Voting

Law Would Mean End of Effective Voter Registration Drives

Washington, D.C. – The League of Women Voters of Florida, the Brennan Center for Justice, Democracia USA, and the Lawyers' Committee for Civil Rights Under Law today wrote to the U.S. Department of Justice urging the Department to exercise its authority under the Voting Rights Act to deny preclearance to discriminatory provisions of Florida's omnibus 2011 election law, H.B. 1355, which will make it harder for Floridians to vote.

In their 25-page letter, the groups argue that several new barriers the Florida law puts between Sunshine State voters and the ballot box either are impermissible under federal law, or require further explanation and justification from the state. The organizations explain that, in particular, the law will place higher burdens on minority voters, violating the federal Voting Rights Act. The groups' objections focus on three key effects of the new law:

- 1) The law will restrict the opportunity and ability of citizens and grassroots organizations to conduct voter registration drives by imposing burdensome and wholly unnecessary regulations and red tape;
- 2) The law will reduce the number of days in the state's early voting period, and possibly cut early voting hours as well; and
- 3) The law will make it impossible for registered voters who have recently moved within Florida, from one county to another, to provide notice of their change of address on election day and still cast a regular ballot.

Both the League of Women Voters and Democracia USA have made voter registration a core part of their activities aimed at increasing civic engagement, and the new regulations will likely prevent both groups from continuing their current voter registration efforts.

Under Section 5 of the Voting Rights Act, Florida must seek approval from the Justice Department or a panel of federal judges before implementing any changes to state election laws that affect the five

counties in the state covered by Section 5 (Collier, Hardee, Hendry, Hillsborough, and Monroe). Federal officials are tasked with examining and “preclearing” these new laws to prevent changes that have a discriminatory purpose or that would have the effect of reducing the voting opportunities of historically disenfranchised groups of citizens. In addition, Florida law guarantees the same election procedures must be utilized throughout the state so, in effect, federal preclearance is a prerequisite to Florida lawfully implementing H.B. 1355 anywhere in the state.

“This law makes it difficult, maybe even impossible, for the League of Women Voters to bring new Floridians into the democratic process. Now, after 72 years, this law may mean that the League of Women Voters will stop registering voters in Florida,” said Deirdre Macnab, president of the League of Women Voters of Florida.

“The new law cuts to the core of what Democracia USA and other organizations do to engage Hispanics in the electoral process,” said Eric Rodriguez, Vice President with the Office of Research, Advocacy and Legislation at Democracia USA’s parent organization, the National Council of La Raza. He added that, “rather than curbing fraud, the new restrictions will limit voter participation by creating unnecessary burdens on groups that are involved in registering new voters in Florida.”

The four co-signatories to today’s letter also joined a June letter to Florida Secretary of State Kurt Browning from a larger coalition of civil rights groups, reminding him that immediate implementation of H.B. 1355, without Section 5 preclearance, would be against Florida law and longstanding tradition. Nonetheless, Secretary Browning has directed election officials to implement the new law throughout the state, except in the five Section 5 counties. The rush to implement the new law before receiving preclearance was so different from past practice that several elections supervisors openly contradicted the instructions from Secretary Browning, stating they would wait on implementing the election law changes.

For more information or to request an interview, please contact the individuals listed above.

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