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Southern Poverty
Law Center

FAIR
ELECTIONS
CENTER



March 6th, 2020

The Honorable Kim A. Barton
Supervisor of Elections, Alachua County
515 N. Main St., Suite 300
Gainesville, FL 32601

Dear Ms. Barton,

On behalf of All Voting is Local, Campaign Legal Center, Fair Elections Center, and the Southern Poverty Law Center, we are writing to voice our concerns regarding lack of access to early voting in your county for the upcoming Presidential Preference Primary (PPP), in the August Primary election, and the 2020 General Election.

Our organizations are currently reviewing early voting plans for Florida's counties, which were posted on the Division of Elections website on February 26th. The PPP is our immediate concern. However, we are also evaluating plans for the August Primary and November General, where that information is available.

As your office is surely aware, early voting has been instrumental throughout Florida in expanding voter participation, and ensuring voters have greater options as to when and where they vote. In 2016, according to the Division of Elections, 3,874,929 voters across the state chose to vote early in person before the General Election.¹ The 2016 PPP saw 869,453 voters casting their ballots early in person, while the August primary saw 538,456. The election this year is widely expected to generate unprecedented turnout. Indeed, many states that have already held their presidential preference primaries have had record turnout. And just this week, voters in California's and Texas primaries waited for hours to vote. At a polling location at Houston's

¹ <https://dos.myflorida.com/elections/data-statistics/elections-data/absentee-and-early-voting/>

historically black university Texas Southern University, one man waited for six hours to cast his ballot.²

All Floridians remember the long lines at the polls that have burdened voters in past cycles. In 2011, the Florida legislature passed, and Governor Rick Scott signed into law, significant cuts to early voting. The result was Floridians waiting hours to cast their ballot in the 2012 presidential election, and, according to research by the Orlando Sentinel and Ohio State University professor Theodore Allen³, more than 200,000 voters leaving the polls without voting. The national attention on this grave error in election administration caused the state to change course, restoring opportunities to vote early so that every eligible voter in Florida can make their voice heard.

Offering the maximum number of days and hours of early voting allowed under Florida law is especially important for voters of color, students, and voters with disabilities. A study by the Andrew Goodman Foundation, written by Professor Daniel A. Smith, found that expanded opportunities to vote early -- specifically, on-campus early voting locations -- increased turnout among young people, African American voters, Hispanic voters, and voters who had not cast a ballot in 2016.⁴ Early voting also reduces the high numbers of people who show up to the polls on Election Day thereby reducing the stress for your staff, chances that problems will occur, and increasing the time to remedy any problems that do occur.

Under Florida law, your office now has the opportunity to offer a maximum of 14 days of early voting, with 12 hours per day.⁵ However, we understand that your office is offering just 9 days total for the PPP.

We ask that your office offer the maximum number of days and the full number of hours so that every voter be given the maximum opportunity to make their voice heard. We further ask that your office make public as soon as possible your plans regarding early voting -- including days, hours and locations -- for the August and November elections.

² <https://abc13.com/politics/voters-wait-hours-to-cast-ballot-at-texas-southern-university-/5983078/>

³ "Analysis: 201,000 in Florida Didn't Vote Because of Long Lines," *Orlando Sentinel*, January 2013, <https://www.orlandosentinel.com/business/os-xpm-2013-01-29-os-voter-lines-statewide-20130118-story.html>

⁴ "On-Campus Early In-Person Voting In The 2018 General Election," *The Andrew Goodman Foundation*, August 2019, <https://andrewgoodman.org/wp-content/uploads/2019/08/On-Campus-Early-In-Person-Voting-in-Florida-in-the-2018-General-Election-FINAL-8-9.pdf>

⁵

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0101/Sections/0101.657.html

We look forward to continuing this dialogue from now through the General Election. Specifically, we request a meeting during the coming week, between your office and the undersigned, to discuss the upcoming PPP and the August and November elections.

Thank you for your attention to this matter.

Sincerely,

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