

October 4, 2024

Via Email Only

Governor DeSantis

The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001
GovernorRon.DeSantis@eog.myflorida.com

Cord Byrd

Secretary of State
SecretaryofState@DOS.MyFlorida.com
850-245-6500

Brad McVay

Deputy Secretary
brad.mcvay@dos.myflorida.com
850-245-6536

Maria Matthews

Division Director, Elections
Maria.Matthews@DOS.MyFlorida.com
850-245-6200

Joseph Van de Bogart

General Counsel
Joseph.VandeBogart@dos.myflorida.com
850-245-6536

Florida Department of State
R. A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

CC: Supervisors of Elections of Charlotte, Citrus, Columbia, Dixie, Franklin, Gilchrist, Hamilton, Hernando, Hillsborough, Jefferson, Lafayette, Lee, Leon, Levy, Madison, Manatee, Pasco, Pinellas, Sarasota, Suwannee, Taylor, and Wakulla counties

RE: Emergency Actions to Ensure Voting Access after Hurricane Helene

Dear Governor DeSantis, Secretary Byrd, Director Matthews, Deputy Secretary McVay, and Mr. Van de Bogart:

The below-signed organizations write to express our concern about the impact of Hurricane Helene on Floridians' ability to successfully vote in the 2024 General Election, for which voting by mail has already begun. We appreciate the issuing of [Executive Order Number 24-212](#), which will provide Supervisors of Elections much-needed flexibility in Charlotte, Citrus, Dixie, Hernando, Hillsborough, Lee, Levy, Madison, Manatee, Pasco, Pinellas, Sarasota, and Taylor Counties. We respectfully urge you to supplement this with additional action as deadlines such as the voter registration deadline rapidly approach.

The destruction caused by Hurricane Helene has displaced thousands of Floridians and significantly disrupted election administration in affected counties. Unable to return to their homes and struggling to recover, Floridians are forced to navigate and identify alternative means of voting.¹ Election officials in several counties have reported challenges arising from displaced voters and displaced poll workers, as well as damage and disruptions to voting

¹ <https://www.npr.org/2024/10/02/1202966849/neighbors-have-been-helping-neighbors-recover-from-hurricane-helene>

sites and other election infrastructure.² Supervisors of Elections need extended time and flexibility to solve for the widespread damage and displacement as a result of Hurricane Helene.³

In light of the above, we respectfully request that the Governor and Secretary of State take the following emergency actions to ensure voting access for all Floridians.

We urge that Governor DeSantis expand the definition of “Affected Counties” as issued in Executive Order Number 24-212 to include any county [currently subject to any Federal Emergency Management Agency \(FEMA\) disaster designation](#). As of 10/2/2024 this includes Charlotte, Citrus, Columbia, Dixie, Franklin, Gilchrist, Hamilton, Hernando, Hillsborough, Jefferson, Lafayette, Lee, Leon, Levy, Madison, Manatee, Pasco, Pinellas, Sarasota, Suwannee, Taylor, and Wakulla counties. While Executive Order Number 24-212 includes counties flagged by Supervisors of Elections who have expressed needs, this broader list of counties is more likely to reflect the needs of all impacted voters.

Pursuant to Section 9 of Executive Order Number 24-212, Secretary of State Byrd is delegated the authority to “suspend the provisions of any regulatory statute within the purview of the Department of State prescribing the procedures for conduct of state business or the orders or rules of the Department, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency.” On this basis, we urge the Secretary to take the following actions in order to ensure voting access for all impacted Florida voters:

1. Voter Registration

- Extend the Voter Registration Deadline from October 7 to midnight on October 15 to allow affected citizens more time to register to vote. Floridians have lost homes and loved ones to Hurricane Helene, and voter registration will not have been a top priority in the immediate aftermath of the storm, even if they had planned to vote in the November election. No one should miss out on voting due to a natural disaster.
- We strongly recommend applying the extension statewide, as many voters are likely displaced and now located in a different county from that in which they are currently registered. If, however, you only apply the extension to particular counties, we urge you to ensure that hard-hit counties with especially vulnerable communities are included. In particular, of the counties who have reported damaged election administration infrastructure, we are concerned about Hillsborough, Taylor, Lee, and Manatee counties.⁴ Madison County has also been badly affected and many voters from historically disenfranchised groups will be further affected without more support from the government.⁵

2. Vote-by-Mail

- Direct Supervisors of Elections (SOEs) in all affected counties to accept telephonic and written (including email) requests for a VBM ballot to be mailed to an address other than the voter’s address on file, without requiring the voter to complete the Statewide Vote-by-Mail Request Form. This is essential to ensure that displaced voters can receive their vote-by-mail ballot at their temporary address in a timely manner.
- Direct Supervisors to send vote-by-mail ballots via forwardable mail such that displaced voters who have provided a forwarding address to USPS do not need to request a new ballot.
- Allow Supervisors in affected counties to expand their use of Secure Ballot Intake Stations, both in quantity and location as disaster recovery efforts progress.
- Extend the deadline for voters to request that a vote-by-mail ballot be mailed to them from October 24 to October 26.
- Advise Supervisors to accept vote-by-mail ballots that are returned in taped or damaged envelopes.

² <https://www.orlandosentinel.com/2024/10/02/desantis-to-respond-relatively-soon-to-election-officials-requests-after-helene-devastation/>

³ <https://baynews9.com/fl/tampa/news/2024/10/02/election-supervisors-ask-state-for-flexibility-after-hurricane-helene>

⁴ <https://baynews9.com/fl/tampa/news/2024/10/02/election-supervisors-ask-state-for-flexibility-after-hurricane-helene>

⁵ <https://wfsu.org/local-routes/wfsu-news/recovery-efforts-underway-in-madison-county-after-hurricane-helene/>

3. Early Voting

- Allow Supervisors in affected counties to conduct Early Voting every day beginning October 21 through Election Day, November 5 and provide financial support if necessary.
- Extend mandatory Early Voting hours in affected counties from 8 hours to 12 hours per day throughout the Early Voting period and provide financial support if necessary.
- Require Supervisors in affected counties to prominently highlight and post any changes to Early Voting sites on their websites and on social media and assign staff or post clear signage at the closed sites.

4. Election Day Polling Locations

- Allow Supervisors in affected counties to extend voting at Early Voting sites through 7:00pm on Election Day, and allow any voter in the county to cast their ballot at any of these sites regardless of the precinct they are assigned to, or allow Supervisors to set up super-voting sites where all residents can vote county-wide on Election Day.⁶
- Require Supervisors in affected counties to prominently highlight and post any changes to Election Day polling locations on their websites and on social media and assign staff or post clear signage at the closed locations, to ensure voters are informed about where to cast their ballot in addition to notice requirements set forth in 101.71(2), Florida Statutes.

We also request that you update the websites of both the Division of Elections and the Division of Emergency Management (FloridaDisaster.org) to prominently include information regarding changes to voting procedures or locations in affected counties through Election Day, November 5. Section 8 of Executive Order Number 24-212 requires Supervisors to “provide notice...to the public in a manner designed to ensure widespread dissemination of voting information in the Affected County” for actions taken under this Executive Order. This noticed information should also be included on the Division of Elections website and the Division of Emergency Management website and should include information about any poll workers from other counties who will be working in the Affected County.

We further request that you instruct Supervisors in affected counties to update their websites and social media through Election Day to prominently display information about all changes to election procedures related to Hurricane Helene, and that you provide a prominent link on both the Division of Elections and the Division of Emergency Management websites to the individual counties’ Supervisor of Elections webpages for Hurricane Helene information. This will provide voters multiple points of access for up-to-date information on county-level election infrastructure and voting options.

We request that you make the following information available on the Division of Elections and Division of Emergency Management websites, and that this information be updated in real time as changes are made:

1. The days and hours during which affected county Supervisor of Elections’ offices will be open and fully functional, including locations and contact (phone and email, at minimum) information for county Supervisors of Elections in affected counties;
2. The dates, hours, and locations for Early Voting in affected counties;
3. How voters can find the hours and locations for Election Day voting in affected counties;
4. The dates, hours, and locations for vote-by-mail drop-off at Secure Ballot Intake Stations in affected counties;
5. How to vote in-person at Early Voting sites during the early voting period and, if relevant, on Election Day, including whether displaced voters can vote at these locations if outside their county; and
6. How to vote by mail for voters in affected counties, including:
 - a. How voters can obtain and cast a vote-by-mail ballot if they cannot access their mailing address;

⁶ Voting “super sites” were used successfully in Bay County following the devastation of Hurricane Michael, facilitating voting amidst limited transportation options for weeks after the October 18, 2018 hurricane.

- b. How voters can obtain and cast a vote-by-mail ballot if they have already requested but cannot locate their vote-by-mail ballot; and
- c. How voters can verify whether a vote-by-mail ballot they have already sent back was received, and what to do if it was lost or destroyed.

We appreciate the work you, Florida’s Supervisors of Elections, and others are doing to maintain and restore critical election infrastructure in the face of this disaster. We stand ready to consult on any aspect of the above and related voter access issues, and to assist in providing information to voters through the nonpartisan Election Protection coalition and 866-OUR-VOTE hotline.⁷

Thank you for your attention and cooperation,

Amy Keith
Executive Director
Common Cause Florida

Matletha Bennette
Senior Staff Attorney
Southern Poverty Law Center

Adora Obi Nweze
President
NAACP Florida State Conference

Leah Wong
Counsel
Black Voters on the Rise Project
Legal Defense Fund

Ryan Snow, Counsel
Heather Szilagyi, Assoc Counsel
Lawyers’ Committee for Civil
Rights Under Law

Kara Gross
Legislative Director & Senior
Policy Counsel
ACLU of Florida

Michelle Kanter Cohen
Policy Director and Sr. Counsel
Fair Elections Center

Brad Ashwell
Florida State Director
All Voting is Local

Genesis Robinson
Interim Executive Director
Equal Ground Education Fund

Cecile M. Scoon, Esq.
Debbie Chandler, Esq.
Co-Presidents, League of Women
Voters of Florida

John Powers
Program Director
Advancement Project

Jonathan Diaz
Director, Voting Advocacy and
Partnerships
Campaign Legal Center

Jamil Davis
Florida State Co-Organizing
Manager
Black Voters Matter

Andrea Mercado
Executive Director
Florida Rising

Rebecca Pelham
Executive Director
Engage Florida

Cassandra Brown
Cofounder, Executive Director
All About the Ballots

Sarah Parker
Executive Director
Voices of Florida Fund

Juanica Fernandes
Executive Director
State Voices Florida

Mark Ferrulo
Executive Director
Progress Florida Education Institute

Soraya Marquez
FL State Director
Mi Familia en Accion

Salandra Benton
Executive Director
Florida Coalition on Black Civic
Participation

Taylor Ashley
Florida Coordinator
VoteRiders

Cecilia Gonzalez Herrera
Voting Rights Advocacy
Coordinator
LatinoJustice PRLDEF

Kate Renchin, Mark Schneider,
Sandy Kaltman
PBC Voting Rights Coalition

⁷ Election Protection nonpartisan hotline assistance is provided in multiple languages: English (866-OUR-VOTE), Spanish (888-VE-Y-VOTA), Arabic (844-YALLA-US), Asian American Pacific Islands (AAPI) (888-API- VOTE), and Haitian Creole (727-308-3009, Florida only).