

Hernando County Democratic Executive Committee



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www.hernandodemocrats.us

June 22, 2011

Mr. Chris Herren
Chief, Voting Section, Civil Rights Division
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Mr. Herren:

I write to you on behalf of members of the Hernando County Democratic Executive Committee to request that you deny preclearance to chapter 2011-40, Laws of Florida (CS/CS/HB 1355) as submitted by Florida Secretary of State Kurt Browning on June 8, 2011. The law has the purpose or effect of denying or abridging the right to vote on account of race, color, or language minority group, and while Hernando County does not require preclearance, its citizens are equally prejudiced by HB 1355. The following paragraphs from a recent letter to you from Ron Saunders and Perry E. Thurston, Jr. clearly express the reasons for our concerns.

Chapter 2011-40 reduces early voting from 96 hours over a period of 14 days to between 48 and 96 hours over a period of eight days. Because of the increased overtime labor costs of providing more than 64 hours of early voting over eight days, many supervisors of elections will be unable to offer the full 96 hours that have previously been available. This will have a disproportionate impact on urban minorities due to increased wait-times to vote and will decrease their ability to vote. Minorities have historically been more likely to vote early than absentee. Absentee ballots have a higher rate of fraud; however, no significant changes were made to absentee voting despite a stated intent to target voter fraud.

Further, the law will reduce voter registration among minorities by making voter registration drives by community groups unnecessarily difficult. It subjects registering groups to significant fines if registrations are not submitted within 48 hours of receiving them. The process for determining whether the form has been appropriately submitted is ambiguously drafted. The law also requires the submission of detailed information on every volunteer and makes volunteers personally liable for failure to comply under certain circumstances. The difficulties in determining how to comply with the new procedure has already caused the League of Women Voters to suspend registrations in Florida after 72 years of registering Florida voters. Churches and other community groups that have traditionally conducted voter outreach drives to reach urban and rural minority populations with limited mobility or limited internet access may no longer be able to do so.

Minorities are historically more likely to move within a voting cycle and will be disproportionately impacted by new restrictions on their ability to change voter registration at the polls. Florida voters have been changing their registration addresses at the polls since the provision was introduced in the 1970s to accommodate those who move after book-closing. Because the law limits such change to only those moving intra-county, those who move to follow economic opportunities risk being forced to vote via provisional ballots. Provisional ballots were discarded more than 50 percent of the time during the 2008 presidential election.

For these reasons, I respectfully request that you find that chapter 2011-40, Laws of Florida is not in compliance with Section 5 of the Voting Rights Act and that preclearance be denied for implementation in Collier, Hardee, Hendry, Hillsborough and Monroe counties.

Sincerely,

Steven J. Zeledon
Chairman, Hernando County Democratic Executive Committee
cc: Ron Saunders
cc: Perry E. Thurston, Jr.