



J WILLIE DAVID, III  
State President

**EXECUTIVE OFFICE OF THE PRESIDENT**  
**FLORIDA CIVIL RIGHTS ASSOCIATION**

**P.O. Box 593248, Orlando, Florida 32859**  
**(407) 272-9254 • info@fcranews.com • www.fcranews.com**

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The Honorable Eric Holder  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

**FEDERAL VOTING RIGHTS COMPLAINT AGAINST THE STATE OF FLORIDA**

Dear Attorney General Holder:

The Florida Civil Rights Association is requesting U.S. Attorney General Eric Holder launch a federal investigation into the State of Florida's 2011 Election Law (Manifesto) that unfairly targets African Americans and Hispanics for discrimination involving Voter Registration, Early Voting and Election Day voting.

The Voting Rights Act prohibits discrimination in the election process on the basis of race, color or membership in a minority language group. In addition, the act requires certain covered jurisdictions to provide language assistance during the election process.

On May 19, 2011, Florida Governor Rick Scott signed into law Florida's House Bill 1355, a 158-page omnibus bill (Law of Florida, Chapter 2011-40). The bill dramatically changed the rules for both *early voting and voting registration*, creating a process so complex and legally risky, that individuals, religious leaders and civic organizations were forced not register new voters in the state. The law mandated that people who conduct voter registration drives must themselves register with the state before signing up new voters. Once they register a new voter, they have forty-eight hours to submit that registration to the county under exacting specifications. Late or improper applications can result in stiff fines or even felony fraud charges and jail time. "It appears that the law is meant to discourage people from registering voters.

According to the **Brennan Center for Justice**, black and Latino Floridians are more than twice as likely as white voters to register to vote through community-based voter registration drives. In 2008, more than 1.1 million black voters cast ballots in Florida, a record turnout driven in part by registration campaigns led by black churches. The law also strikes at the heart of the African American cultural and spiritual events during early voting by *eliminating the Sunday before Election Day*.

In August 2012, a three-judge panel of the **U.S. District Court for the District of Columbia** says Florida law (HB 1355) that restricts the number of early-voting days could result in a dramatic reduction in voting by blacks. The court said when *the law was passed as potential evidence of discriminatory purpose* and would not allow Florida to put changes in place in five Florida counties (Collier, Hardee, Henry, Hillsborough and Monroe) covered by Section 5 of the Voting Rights Act of 1965. The court's ruling left 62 counties unprotected and in harms way of Florida's discriminatory election law.

The court also singled out comments of **State Senator Mike Bennett, (R-Bradenton)** who made it clear on the Senate floor of his intent to make voting more difficult. "I don't have a problem making it harder, Bennett said. I want people in Florida to want to vote as bad as that person in Africa who walks 200 miles across the desert. This should not be easy." Whether or not Senator Bennett actually intended his statement to have racial undertones, it certainly can be read that way," the ruling said. "Hence, Senator Bennett's remarks could be considered to constitute evidence of discriminatory purpose by at least one Florida legislator."

Florida's 2011 Election Manifesto did exactly what Senator Bennett intended it would do. Make voting harder, especially for African Americans and Hispanics by **cutting early voting days from 14 days to 8 days**, including the last Sunday before Election Day. Cut to Early Voting sites and resources, including poll workers, machines, privacy booths, scanners, printers and translators. The **11 lengthy state constitutional amendments ballot** were also part of an intentional strategy aimed precisely at creating long lines and discouraging citizens from voting. After the presidential election was decided, nine counties: Broward, Escambia, Duval, Hillsborough, Miami-Dade, Okaloosa, Palm Beach, Pinellas and Putnam were still counties. Also, Miami-Dade Election Officials closed polls to voters are additional reasons for a federal investigation.

According to the Tampa Bay Times, **former Republican Party of Florida chairman Jim Greer** stated in a deposition released by Florida Statewide Prosecutors on or about July 26, 2012 that: 1) GOP held meetings on black vote suppression, 2) GOP disagreed with some of Governor Crist's decisions, including the appointment of a liberal African-American judge to the Florida Supreme Court, and 3) GOP was outraged over the hug Crist gave President Barack Obama in 2009. The Justice Department cannot ignore these allegations made by the former RPOF chairman.

The Florida Civil Rights Association also points to a poll of early voters conducted **by Hart-Research and sponsored by AFL-CIO** showed that "wait times were disproportionately longer for Democrats and Democratic-leaning demographics," i.e. minorities in 2012, according to *Talking Points Memo*. That poll is consistent with one conducted in 2008 by MIT. The MIT poll found that "African-American voters waited twice as long as others to cast their votes," according to *USA Today*. The Hart Research poll said that minorities were more likely to experience voting problems, including longer lines than white voters.

### CONCLUSION

For the reasons stated above, the Florida Civil Rights Association urge the Attorney General to direct the U.S. Department of Justice's Civil Rights Division to launch a federal investigation into one or more violations of the Voting Rights Act or other federal voting rights laws against the State of Florida. The Florida Civil Rights Association believes that the State of Florida's 2011 Election Law unfairly targeted African Americans and Hispanics for discrimination during the 2012 election process. Florida created an election manifesto for a discriminatory purpose to block African Americans and Hispanics from turning out to vote in record numbers. The law is a pathway to racially profile voters, it create barriers at the polls to discourage people from voting. At a minimum, the Attorney General should launch an investigation to ensure the integrity of the election process in Florida will apply equally to all voters.

Please provide a timely written response to the Florida Civil Rights Association regarding this request.

Sincerely,

J. Willie David, III  
State President  
Florida Civil Rights Association  
P.O. Box 593248  
Orlando, Florida 32859  
president@fcranews.com  
(407) 272-9254