September 20, 2017

The Honorable Ken Detzner, Florida Secretary of State
Email: SecretaryofState@DOS.MyFlorida.com
The Honorable Maria Matthews, Director, Division of Elections
Email: Maria.Matthews@DOS.MyFlorida.com
The Honorable Christina White, Miami-Dade County Supervisor of Elections
Email: christina.white@miamidade.gov

Subject: Appeal to Extend Election Day and Early Voting Hours in Miami-Dade County Special Elections Due to the Impact of Hurricane Irma

Dear Secretary Detzner, Director Matthews and Supervisor White,

Common Cause Florida, State Voices Florida, the League of Women Voters Florida, the American Civil Liberties Union of Florida, Engage Miami, SAVE, Latino Justice and the Lawyers’ Committee for Civil Rights Under Law are writing to make an urgent appeal that you take immediate action to extend the Election Day and early voting hours for the Senate District 40 and House District 116 special elections due to the continuing devastating impact of Hurricane Irma on voters who wish to exercise their right to vote in these important statehouse elections.

As you are aware, Miami-Dade County and its residents were severely impacted by this storm. Many residents heeded Governor Scott’s urgent appeal to residents to evacuate and take shelter away from their homes in Miami-Dade in anticipation of the hurricane’s destruction. Mayor Gimenez issued a mandatory evacuation order for most of Downtown Miami and many other parts of the County. By Wednesday, September 7th, the evacuation order covered 700,000 Miami-Dade residents at risk for the storm surge. See, http://miami.cbslocal.com/2017/09/07/miami-dade-hurricane-irma-preps-carlos-gimenez/.

President Trump also approved a Major Disaster Declaration for Florida and federal disaster assistance has been made available for continuing local recovery efforts. At Governor Scott’s request, the Declaration was expanded to include individual assistance for residents of Miami-Dade.

Although you and your staff and other dedicated State of Florida and Miami-Dade County public servants are working hard to recover from the devastation of this storm, much more needs to be accomplished until Miami-Dade County residents are able to resume a semblance of their lives prior to this disaster and fully recover from the impact of Hurricane Irma.
This storm disrupted virtually all aspects of the lives of Miami-Dade County residents. Not only were many of the County’s residents unable to return home, but those that did return home had no electricity, refrigeration, food, water, internet or phone. Many of the residents also faced challenges because of the storm’s impact on their employers and ability to work. Some residents lost the ability to earn income at all as a result of the storm, particularly residents who work hourly jobs and could not go in to work because of the conditions following the storm or because their employers could not resume business.

Given the fact that more than 1000 Miami-Dade utility customers still do not have power, face challenges with transportation due to vehicles being destroyed or severely damaged by the storm and the fact many roads remain damaged or filled with debris, life remains difficult for many of the County’s residents as a consequence of this deadly storm.

Notably, as evidence of the continuing havoc wreaked by Hurricane Irma in Miami-Dade County, Mayor Gimenez just issued an Executive Order yesterday in which he extended a state of emergency for Miami-Dade County (See attached). As indicated in this Executive Order, the post-hurricane conditions in Miami-Dade County are continuing to require extraordinary and immediate action to protect public health, safety and welfare. Mayor Gimenez also recently wrote to the President to request disaster relief assistance for the nearly three million residents of Miami-Dade.

Since it is foreseeable that many of the voters in Senate District 40 and House District 116 are continuing to struggle to restore their personal lives, return to work and rebuild their homes and communities, we respectfully urge you to extend the early voting hours for the Senate District 40 and House District 116 Special Elections to the full twelve hours per day authorized by Florida law to ensure that voters severely impacted by this disaster and who need additional time to cast their ballots in the remaining days of early voting, will be able to participate in these important elections.

Under Fla. Stat. § 101.657(d), the supervisor of elections has the clear legal authority to provide up to 12 hours per day for early voting. Under the current early voting schedule, only ten hours per day are allotted for September 21 and 22, and eight hours for early voting on September 23 and 24, 2017.

Therefore, we urge you to add two more hours per day for early voting on September 21 and 22, and four more hours on September 23 and 24, 2017 to ensure that voters severely impacted by Hurricane Irma are able to participate in these important elections and are not prevented from exercising their right to vote as a result of the aftermath of this deadly storm.

In addition, Governor Scott’s Executive Order 17-236 gives the Secretary of State the authority to amend or suspend any deadline under Chapters 97-106 of the Florida Statutes to the extent the deadlines cannot be met by any County as a result of the emergency declared in Executive Order 17-235.

Therefore, there is ample legal authority to extend the Election Day and early voting hours under these difficult and unique circumstances to ensure that voters in Senate District 104 and HD 116, who continue to face challenges impacting their health, safety and welfare as result of this
emergency, will not be precluded from exercising their right to vote and participate in these elections.

Thank you for your attention and consideration.

Sincerely,

Liza McClanaghan
State Chair, Common Cause Florida
Email: lizamac@comcast.net

Jasmine Burney-Clark
Deputy Director Florida501(c)3 Civic Engagement Table (State Voices Florida)
Email: jburney@statevoices.org

Pamela Goodman
President, League of Women Voters Florida
www.lwvfl.org

Julie Houk
Senior Special Counsel, Voting Rights Project
Lawyers’ Committee for Civil Rights Under Law
1401 New York Avenue, NW, Suite 400
Washington DC 20005-2124
jhouk@lawyerscommittee.org
www.lawyerscommittee.org

Nancy Abudu
Legal Director
American Civil Liberties Union of Florida
4343 W. Flagler St., Suite 400
Miami, FL 33134
Tel: 786-363-2707
Fax: 786-363-1108
nabudu@aclufl.org

Rob Biskupic-Knight, Executive Director
Engage Miami
http://www.engage.miami/

Kira Romero-Craft
Associate Counsel
LatinoJustice PRLDEF
Committed to Justice and Leadership since 1972
http://latinojustice.org/

Justin Klecha - Deputy Director - SAVE
http://www.save.lgbt/