

BRENNAN
CENTER
FOR JUSTICE
at New York University School of Law



October 22, 2018

Governor Rick Scott
State of Florida, The Capitol
400 S Monroe St.
Tallahassee, FL 32399

Secretary of State Ken Detzner
R.A. Gray Building
500 South Bronough St.
Tallahassee, FL 32399

Supervisor of Elections Paul Lux
215. S. Monroe Street, Suite 825
Tallahassee, FL 32302

Dear Governor Scott, Secretary Detzner, and Supervisor Lux:

On Oct. 18, 2018, Governor Scott issued Executive Order No. 18-283, which implemented several temporary, emergency changes to Florida election law, in response to the devastation caused by Hurricane Michael. The actions taken by Governor Scott are critical to protecting Florida voters, but in light of the continuing crisis, they are not enough. We urge you to take additional, commonsense steps to help expand opportunities for eligible voters affected by the hurricane to cast a ballot.

First, for affected voters that remain in affected areas, we urge you to take steps to ensure that these voters are able to get to the polls.

- Governor Scott and Secretary Detzner should authorize Supervisors of Elections to permit voters to vote at large-scale shelters constructed in affected areas to house Floridians who have been forced from their homes by Hurricane Michael.
- In counties with severe and ongoing gasoline shortages or other acute transportation challenges resulting from Hurricane Michael, Governor Scott should direct state agencies to make transportation available for affected voters to polling places during the early voting period and on election day.

Second, for affected voters that have been displaced from their home counties, we urge you to permit these voters to cast ballots at polling places outside of their home counties and implement workable procedures to ensure that they are able to do so.

- For example, counties that have “ballot on demand” printers could provide displaced voters with ballots from their home counties that they can cast at that polling place, to the extent technologically feasible. Counties that do not have “ballot on demand” capabilities could permit affected voters to cast provisional ballots that will be counted as to all elections for which these voters are eligible to vote.

This has been a devastating time for Florida and its people. Emergency workers, state and local officials, and regular citizens continue to work tirelessly to preserve the lives and livelihoods of their fellow Floridians. Elections officials are also working tirelessly to preserve Floridians’ right to vote. We believe that the commonsense steps we have suggested here will help to facilitate that work.

Sincerely,

Patricia Brigham
President, League of Women Voters of Florida

Max Feldman
Counsel, Brennan Center for Justice at NYU School of Law