



14 April 2020

Hon. Ron DeSantis  
Governor, State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Dear Governor DeSantis,

**RE: Provisional Support for FSE 7 April 2020 COVID-19-Related Requests for Executive Orders**

Verified Voting writes to lend our provisional support to the Florida Supervisors of Election's (FSE's) 7 April 2020 letter (attached) requesting you order several provisions, **as soon as possible**, to assist FSE members to address the extraordinary conditions they face to conduct the remaining 2020 elections.

We thank FSE members, their staffs and volunteers, as well as you, your staff, and all those at the Department of State who must scramble, sometimes in hazardous conditions, to conduct elections on schedule during this unprecedented COVID-19 pandemic.

We support FSE's request that you make Supervisors "a priority for the acquisition of supplies like hand sanitizer and other resources to ensure in-person voting is in accordance with CDC and FDOH guidelines." Elections workers are indeed part of Essential Services, per EO-20-91 ESSENTIAL SERVICES LIST, making such prioritization both appropriate and essential.

It is also essential to fundamental American democracy to keep elections on schedule even during periods when it is extremely challenging to do so. There is a great body of precedent for that principle, perhaps most famously when President Lincoln refused to postpone the 1864 Presidential election in the midst of The Civil War, saying, *"We cannot have free government without elections; and if the rebellion could force us to forego, or postpone a national election, it might fairly claim to have already conquered and ruined us."*

With that principle in mind, we support FSE's request for greater flexibility at the county level. Our 67 counties have unique characteristics meaning, at this extraordinary time, one set of means and methods may not fit all, even while an equal opportunity to cast a ballot must remain the standard for all.

FSE requests you reference EO-19-262 and order similar remedies today in response to COVID-19, as you did then in response to the impacts of Hurricane Michael. We agree with one important caveat.

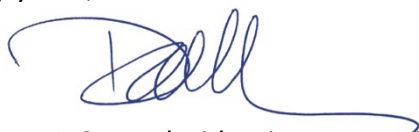
FSE requests at bullets one, two and three that you:

- “suspend applications of provisions of Section 101.657(1)(a) and (b), Florida Statutes, and allow each county Supervisor of Elections to designate additional or alternative Early Voting site locations.” and;
- “Allow counties the option of beginning Early Voting up to 22 days prior to the August and November 2020 elections, notwithstanding the provisions of Section 101.657(1)(d), Florida Statutes, and allow Early Voting to continue, at the chosen locations, through 7:00 p.m. on Election Day.”
- “concerning relocation or consolidation of polling places, suspend the provisions of sections 101.001 and 101. 71 ( 1 ), Florida Statutes, which require there to be one polling place in each precinct. This will allow the Supervisor the option to relocate or consolidate polling places with Early Voting sites.”

We respectfully request that in any order addressing the FSE’s concerns, you include explicit language effectively the same as that used in EO-19-262, namely: **“so as to provide all voters ... an equal opportunity to cast a ballot, insofar as is practicable”** and make that applicable to both state and county authority over elections, to preserve equal protection under the law. We submit that it is valuable to make clear and unequivocal, the preservation of the fundamental principle of equal protection even while providing temporary accommodations to address this extraordinary condition.

Thank you for your consideration and don’t hesitate to contact us if we can answer questions further to this letter of support for FSE’s requests.

Very truly yours,



Dan McCrea, Florida Director, Verified Voting



Marian K. Schneider, President, Verified Voting