

May 9, 2025

Re: Florida Advisory Committee to the U. S. Commission on Civil Rights
c/o Liliana Schiller
Support Specialist
U.S. Commission on Civil Rights
lschiller@usccr.gov

Dear Chair Smith and Committee Members,

I am writing to provide written testimony on behalf of Southern Poverty Law Center in follow up to the recent briefings on Voting Rights & Emergency Preparedness, held on April 8 and 9, 2025, which explored Florida's readiness to implement and enforce voting rights when widespread major emergencies such as natural disasters, hurricanes, or other unexpected calamities arise.

In a democracy, voting should be a simple, convenient process that allows every eligible voter to participate easily. But too often in Florida, this is not the case. Changes approved in past legislative sessions have significantly hindered voter participation. Changes to vote-by-mail and the voter registration process, extreme regulations on third-party voter registration organizations, and threats posed by the investigative Office of Election Crimes and Security makes participation in our electoral process challenging. Following hurricanes or other natural disasters, these deterrents and impediments are worsened by the lack of election administration protocols, which result in closed or moved polling locations, unexpected changes in voters residential addresses, and much more.

Florida is known to have active hurricane seasons, with this past 2024 season being one of the most destructive on record. The Sunshine State had a total of three major hurricanes make landfall — two just two weeks apart: Hurricane Debby (Aug. 5), Helene (Sept. 26), and Milton (Oct. 9). These hurricanes brought storm surges, flooding, and tornadoes, which led to the loss of many lives, homes, and businesses. In the last 20 years, Florida residents have faced 11 hurricanes labeled Category 3 or higher, including Charley, Irma, Michael, and Ian. According to the National Hurricane Center, 2022's Hurricane Ian "was responsible for over 150 direct and indirect deaths and over \$112 billion in damage, making it the costliest hurricane in Florida's history and the third costliest in United States history."¹

Hurricane season spans June 1 to Nov. 30, overlapping several election dates and important electoral deadlines. When faced with a natural disaster, one's only priority is safety. Many evacuate — often at the instruction of governmental officials—due to flood zones, tornadoes,

¹ https://www.nhc.noaa.gov/data/tcr/AL092022_Ian.pdf

and a multitude of other reasons and may be displaced during and after a storm. No eligible Florida voter should be disenfranchised because of a natural disaster, nor should they face a struggle to cast their ballot while they are managing their own and their community's recovery. When Hurricane Michael, a Category 5 hurricane, hit Bay County in October 2018, the supervisor of elections had no working telephones and the office had to be closed. Instead of the usual 44 voting sites, they only had five "mega-voting" sites, which voters would have to wade through flooding and destruction to reach. While then-Governor Rick Scott issued an executive order to allow for flexibility and accommodations, nothing could be done before the order was given, leaving many people without a guide on how to navigate post-natural disaster for an election.

Election administrators and voters deserve predictability, clarity and consistency in accommodations across disaster-affected jurisdictions. The state's elections emergency contingency plan (F.S. 101.733) must be amended to provide flexibility and support to supervisors of elections in counties named in a state of emergency declaration by the Florida governor or similarly designated by the Federal Emergency Management Agency, to ensure voters affected by disasters have an equal opportunity to participate in elections. That is why, in coalition with Common Cause Florida and All Voting is Local Florida, we worked to introduce a bill to address these challenges that we observed with champions Rep. Lindsay Cross (D- St. Petersburg) and Sen. Tina Polsky (D-Boca Raton) (HB 1317²/SB 1486³). This legislation aims to add predictability, clarity, and consistency for voters and election administrators so that all Florida voters who suffer from the consequences of natural disasters have an equal opportunity to participate in our elections. Many of the provisions found in this legislation were smartly included in Rep. Fiona McFarland's (R-Sarasota) bill HB 1535⁴.

We appreciate your attention to our testimony and trust that it will contribute to your endeavors to guarantee that all qualified voters in Florida impacted by a natural disaster are afforded equitable access to cast their ballots.

Thank you,

Aurelie Colon Larrauri
Florida Policy Associate
Southern Poverty Law Center
aurelie.colon@splcenter.org
(954) 881-8595

² <https://www.flhouse.gov/Sections/Bills/billsdetail.aspx?BillId=82024&SessionId=105>

³ <https://www.flsenate.gov/Session/Bill/2025/1486>

⁴ <https://www.flhouse.gov/Sections/Bills/billsdetail.aspx?BillId=82291&SessionId=105>