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May 7, 2010

VIA FAX, E-MAIL and FIRST CLASS MAIL

The Honorable Charlie Crist  
Governor, State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001  
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**Re: Veto – HB 131**

Dear Governor Crist:

I am writing on behalf of the American Civil Liberties Union of Florida, and the 25,000 ACLU members in Florida, to ask that you veto HB 131. HB 131 undermines the important and groundbreaking gains that Florida realized when – under your leadership – our state banned unreliable paperless direct recording electronic (DRE) voting systems. Because HB 131 further delays the deadline by which voters with disabilities must vote on optical scan voting systems, we urge you to veto this bill.

In 2007, you became one of the country's leading voices supporting reliable and verifiable voting systems when you signed legislation that banned paperless touch screen voting in all Florida elections, beginning in 2008. At the time, the ACLU of Florida supported your decision to ban paperless DRE's, but expressed concern that voters with disabilities would have to wait four years – until 2012 – to vote on voting systems that provide the same level of reliability and verifiability as those mandated for all other voters, thus, in effect, relegating them to second-class citizenship.

In 2007, you were quoted as saying that the legislation banning paperless touch screen voting “will preserve the integrity of Florida's elections and protect every Floridian's right to have his or her vote counted..... Florida voters will be able to have more confidence in the voting process and the reliability of Florida's elections.”<sup>1</sup>

Every Florida voter, including voters with disabilities, should be able to have confidence that his or her vote will be accurately recorded and counted. All Florida voters - including voters with disabilities - should have their right to vote protected. Extending the deadline by another four years relegates those with disabilities to unreliable and inferior voting technology that was rightly deemed insufficient to ensure the integrity of Florida's elections. As long as voters with disabilities vote on paperless DRE voting systems, the integrity of Florida's elections remains in jeopardy and the right to vote for all Floridians is not protected.

<sup>1</sup> The New York Times, May 4, 2007. <http://www.nytimes.com/2007/05/04/us/politics/04vote.html>

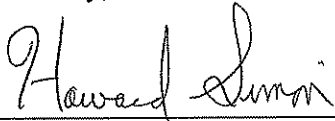
That HB 131 asks voters with disabilities to wait four more years – a total of eight years after all other Florida voters – to be able to cast their votes on reliable, accountable technology is unconscionable. When casting a ballot in a Florida election, voters with disabilities should not have to choose between an accessible voting machine that allows him or her to cast a secret ballot or a voting system that ensures that their choices are accurately counted.

By imposing the initial four-year delay – until 2012 – on Florida’s voters with disabilities, the State of Florida already asked too much of these voters. The State of Florida cannot, and should not, expect voters with disabilities to wait four more years -- the date by which they are being told by legislators that their votes will be accurately recorded and counted. In fact, former Secretary of State Browning has also expressed disagreement with extending the 2012 deadline.

We fervently urge you to take this final step toward completing the reforms that you signed into law in 2007. We ask that you stand with voters with disabilities and refuse to extend the date by which they, too, can cast reliable and verifiable votes in Florida.

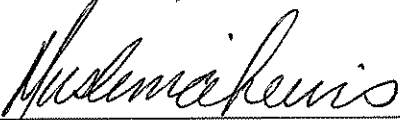
We strongly urge you to veto HB 131.

Sincerely,



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Howard Simon, Executive Director



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Muslima Lewis  
Senior Attorney and  
Director, Racial Justice and Voting Rights Projects