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**FREE + FAIR FILES MAJOR CASE AGAINST GOV. DESANTIS, FLORIDA OFFICIALS FOR VOTER
INTIMIDATION AND DISENFRANCHISEMENT**

*Voting Rights Act Lawsuit Comes as Other States Consider Replicating
Florida's "Election Police"*

NEW YORK — FREE AND FAIR LITIGATION GROUP, a nonprofit law firm countering rising authoritarianism in America, today with co-counsel filed a major federal lawsuit alleging that Florida officials have engaged in a yearslong campaign to intimidate and prevent people with previous convictions from voting.

In the complaint, the Florida Rights Restoration Coalition (FRRRC) – a nonpartisan, Nobel Peace Prize-nominated organization dedicated to ending disenfranchisement and discrimination against people with convictions – and several Florida citizens allege that DeSantis' highly-publicized deployment of a statewide "election police" squad constitutes illegal intimidation under the Voting Rights Act; and that ever since Florida restored voting rights to 1.4 million individuals with previous convictions in 2018, state officials have created a bureaucratic morass that prevents those individuals from actually voting.

FRRRC and the intimidated voters are represented pro bono by Free and Fair Litigation Group, Arnold & Porter, and Weil Gotshal & Manges. The case, filed in Miami federal court, is *FRRRC v. DeSantis et al.*

"Ever since the people of Florida passed a constitutional amendment to grant people with felony convictions a new right to vote, the Governor and the state have done everything in their power to prevent those 1.4 million new voters from actually voting," said CAREY DUNNE of FREE AND FAIR LITIGATION GROUP. "Efforts to criminalize ordinary voting behavior are on the rise across America. As other states think about creating their own 'election police,' we're proud to work with FRRRC, Arnold & Porter and Weil to ensure that eligible voters can vote without fear of prosecution."

In 2018, an overwhelming majority of Florida voters approved a state constitutional amendment, known as Amendment 4, which restored voting rights to most people with previous felony

convictions. At the time it was passed, it was estimated that more than 1.4 million Floridians — almost 7% of the state’s population — would have their rights restored, representing the largest mass enfranchisement of voters in the U.S. in decades. However, as alleged in the complaint, DeSantis and other officials have worked since 2018 to undermine Amendment 4 by:

- Providing inaccurate, incomplete, or misleading information to potential voters who try to determine their eligibility to vote,
- Creating a byzantine process in which voter eligibility is determined by varying local practices depending on where the potential voter lives, and
- Since 2022, creating, publicizing, and deploying an “election police” unit to arrest people for having voted, including some people who were encouraged to register to vote and provided with a voter ID from the Florida Secretary of State.

In one highly publicized example, on August 18, 2022, DeSantis announced that he and his administration had orchestrated the arrest and prosecution of 20 individuals who had voted in the 2020 elections, and warned that there would be “many more” arrests to come. However, as detailed in the complaint, some of the arrestees had no intent to violate the law and believed in good faith they were eligible to vote. Indeed, “some of the arrestees had been issued voter identification cards by the state, and/or had been advised by state representatives that they were eligible to vote.”

As alleged in the complaint, the Governor’s creation and amplification of the Office of Election Crimes and Security and its campaign of arrests have created “a climate of intimidation even among people who believe in good faith that they are eligible to vote.” This, coupled with the earlier roadblocks to registration, “has turned the simple act of voting into a complicated and risky venture in the eyes of those who were re-enfranchised,” including Ms. Rhoshanda Bryant-Jones and the other plaintiffs, who are now intimidated from voting. The result is a “national embarrassment” which violates the Voting Rights Act and other federal protections, according to the complaint.

“Florida’s failure to accept responsibility in determining voter eligibility hurts every Florida citizen,” said FRRRC Executive Director DESMOND MEADE. “This is not a black, white, Latino, Native American, Asian, or multi-racial issue, or a Republican or Democrat issue. This is an everybody issue. If Floridians cannot rely on the State to determine voter eligibility, then who can we rely on?”

“Those videos showed me that even if you honestly believe you’re able to vote, they can arrest you anyway,” said plaintiff RHOSHANDA BRYANT-JONES, a U.S. Army Veteran and Certified Recovery Peer Specialist who refrained from voting in 2022 after seeing press coverage and videos of people with previous convictions being arrested for voting. “As a person with previous convictions, I’m not willing to risk my freedom, and all that I have accomplished, even though the

day I thought I had my rights restored by Amendment 4 was one of the great blessings of my life.”

In the lawsuit, FRRRC and the intimidated voters are seeking the creation of a statewide database for potential voters to determine their eligibility; the appointment of a federal monitor to oversee the state’s compliance; and a declaration that Florida’s implementation of Amendment 4 is illegal under the Voting Rights Act and the First and Fourteenth Amendments to the U.S. Constitution, among other remedies.

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