

Federal Appeals Court Hearing Concludes in Challenge to Florida Law Obstructing Voting Rights Restoration in Florida

The court's ultimate ruling may enable hundreds of thousands of Floridians to vote in November's general election

CONTACT: Casey Bruce-White, ACLU of Florida, 786-363-2717, media@aclufl.org
Inga Sarda-Sorensen, ACLU National, 347-514-3984, isarda-sorensen@aclu.org
Julian Brookes, Brennan Center for Justice, 646-292-8381, brookesj@brennan.law.nyu.edu
Corey Gladstone, Campaign Legal Center, 202-856-7912, cgoldstone@campaignlegalcenter.org
Phoebe Plagens, NAACP LDF, 212-965-2235, pplagens@naacpldf.org
Graeme Crews, Southern Poverty Law Center, 334-956-8435, Graeme.Crews@splcenter.org

ATLANTA — A federal appeals court hearing in a case that may enable hundreds of thousands of Floridians to register to vote in time for the November election concluded today after two hours of oral argument.

The case concerns Senate Bill 7066, signed into law by Florida Gov. Ron DeSantis in 2019. Senate Bill 7066 made voting rights for hundreds of thousands of returning citizens contingent on payment of all legal financial obligations before being able to vote. This law directly undermines Florida voters' overwhelming passage of the Voting Restoration Amendment 4 in 2018, which restored voting rights to over a million people with past felony convictions.

The American Civil Liberties Union, ACLU of Florida, NAACP Legal Defense and Educational Fund, Brennan Center for Justice at NYU Law, Campaign Legal Center, and Southern Poverty Law Center immediately sued. In May 2020, the district court struck down the law, but the ruling was put on hold pending the appeal by DeSantis.

The appeal was heard today by the full Eleventh Circuit Court of Appeals. If the appeals court affirms the district court's ruling, it may enable hundreds of thousands of returning citizens to register to vote in time for the November election.

The following comments are from:

Leah C. Aden, deputy director of litigation at the NAACP Legal Defense and Educational Fund: "Florida's pay-to-vote law unjustly denies hundreds of thousands of people their right to vote, and is especially harmful to Black Floridians, who are already otherwise disproportionately impacted by voter suppression tactics. The fact that Florida has the gall to attempt to enforce a pay-to-vote system when it knew that it has no credible record-keeping system in place for returning citizens or state officials to track their LFOs is completely unacceptable. Under no circumstance should the state be allowed to enforce a law that does not allow people to receive notice of what they owe upfront — and to

determine whether they can register, remain on the voter polls, and vote. This law is unconstitutional — and the trial court’s decisions must stand.”

Julie Ebenstein, senior staff attorney with the ACLU’s Voting Rights Project: “The courts have repeatedly ruled that Florida’s modern-day poll tax is unconstitutional. People from all across the political spectrum recognize it is wrong to force Americans to pay to vote. We are hopeful the appeals court will affirm the trial court’s decision and strike down this law once and for all.”

Daniel Tilley, ACLU of Florida legal director: “We have proudly fought for our clients against Florida’s unconstitutional attempt to affix a price on a person’s right to vote. It is a fight we will continue to fight until all returning citizens in Florida who regained their right to vote through Amendment 4 are able to participate in our democracy.”

Sean Morales-Doyle, senior counsel at the Brennan Center for Justice at NYU Law: “In putting a price tag on voting, Florida’s law violates the Constitution and cheapens our democracy. We are hopeful the Eleventh Circuit will strike down this law, enabling hundreds of thousands of Floridians with past convictions to exercise their fundamental right to cast a ballot, in November and beyond.”

Danielle Lang, co-director of voting rights and redistricting at Campaign Legal Center (CLC): “Hundreds of thousands of otherwise eligible voters have their constitutional rights depending on the outcome of this case. Florida’s voters have spoken loud and clear when nearly two-thirds of them supported rights restoration at the ballot box. It’s time for the appeals court to hear their voices and reject Florida’s pay-to-vote scheme.”

Nancy Abudu, deputy legal director of the Southern Poverty Law Center: “On the day we commemorate the centennial anniversary of the suffrage movement’s ultimate victory — the ratification of the 19th Amendment to the U.S. Constitution — we must remain vigilant in challenging election laws that place a serious burden on women when it comes to exercising their fundamental right to vote. Today’s hearing demonstrated once again that Florida’s pay-to-vote scheme denies people like our clients the right to vote simply because they cannot afford to pay off their financial obligations. Florida’s law is unconstitutional and undermines the very heart of our democracy.”

###

Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).