

**Testimony of The Honorable Charles Crist, Jr.
Former Governor of Florida**

**United States Senate
Committee on the Judiciary**

**Hearing on
“The State of the Right to Vote After the 2012 Election”**

**Dirksen Senate Office Building
December 19, 2012**

10:00 a.m.

Thank you Chairman Leahy, Ranking Member Grassley and thank you members of the Judiciary Committee for inviting me to testify today on what is the most fundamental of rights for Americans—the right to self-determination through voting.

Quite literally, we are here today because just over 236 years ago, 56 brave American patriots signed away their lives by declaring independence from the Great Britain in the name of all who lived in the colonies. At the core of their statement – our Declaration of Independence -- “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, among these are life, liberty, and the pursuit of happiness, that to secure these rights governments are instituted among men” – embodies the simple principle that everyday Americans – the people who we all represent hold the power – that government is truly for the people, by the people – not the other way around.

In fairness, they didn’t get it totally right at the beginning. Far too many Americans were initially denied the right to vote, and far too many more died in the ensuing battles to ensure that every American adult would have the right to participate in self-determination. But throughout the history of this great nation, whether through laws or conflicts, America has always taken steps forward to make voting easier and more accessible – well, until this year.

For a good part of my adult life, I was employed in the service of the people of the great state of Florida, a state has had more than its share of voting drama. For

four of those years, I had the truly awesome privilege serving of state's Governor, and during those four years, we undertook some important steps to make it easier for Floridians to vote.

- We eased the state's vote by mail laws to make it easier for Floridians to choose to vote from the comfort of their own home.
- We instituted a standard fourteen days of in person early voting.
- We made paper ballots mandatory to ensure that there would be a record in the case of recounts.
- We streamlined the system so Floridian who had paid their entire debt to society could regain their right to vote.

And when, during the historic election of 2008, long lines at early voting sites led to some Floridians waiting for many hours to cast a ballot, your former colleague – and my former Chief of Staff George Lemieux and I figured out a legal justification for extending early voting hours so that no Floridian would be faced with an unnecessary wait at the polls. In the end, some 54% of Floridians cast a ballot before election day in 2008 – and thanks to the steps we had taken, despite a record 8.3 million votes cast that year, we knew the outcome of our state's election before the 11:00 news.

Unfortunately, the last few years in Florida haven't been so forward thinking. In 2011, the state legislature voted for and Governor Scott signed a massive elections law designed, I believe, to make it harder for some Floridians to legally vote – and designed to encourage a certain partisan outcome. The law, among

other things, put ridiculous restrictions on the rights of everyday law abiding Floridians to register their fellow citizens to vote and reduced the number of early voting days from 14 to 8 – and under the law before the Justice Department demanded changes, could have reduced early voting hours to as few as 48 in some counties. Furthermore, changes to the law made it harder for voters who went to the wrong precinct to cast a legal vote – which when combined with budget cuts in many counties that reduced the number of election day polling locations – resulted in unnecessary confusion and suppression on election day. In addition, the state tried to purge nearly 200,000 legal Floridians from the polls. Thankfully, public pressure as well as questions from the Justice Department, forced the state to back down.

The outcome of these decisions was obvious. Florida, which four years earlier was a model for efficiency, became once again a late night tv joke. Voters who wanted to vote early were frequently subjected to lines of three and four hours – and as Governor Scott refused to take action to ease the lines, in some cases those lines extended to six and seven hours. Election Day confusion led to horrifying lines again on Election Day, which played a role in Florida remaining in the undecided category until Thursday, some two days after the last ballot was cast. Thankfully, the Presidency didn't hang in the balance.

Senators, as you spend time thinking about how we can make voting easier and more accessible, I would encourage you to think long and hard about establishing some national standards, standards that would ensure lengthy in person early

voting, as well as common sense provisions such as same day voter registration and allowing voters to vote at the precinct most convenient for them.

I leave you once again with the words of our founding fathers – “Governments are instituted among men (and women), deriving their powers from the consent of the government.” Ladies and gentlemen – we work for them. We offer ourselves to their service and they choose – and as any of us who have lost well know, we don’t always like the outcome. But that is how this works. In the end, America wins and democracy thrives when more people vote.

Thank you again for the invitation. I look forward to speaking with you further about this important issue.