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## **FLORIDA'S ANTI-VOTER LAW VIOLATES FREE SPEECH, COURT RULES**

*Federal Judge Overturns Requirement That Voter Registration Groups Give Voters Misleading Information*

**TALLAHASSEE, Fla.** – Today a federal court sided with [Harriett Tubman Freedom Fighters \(HTFF\)](#) in [HTFF v. Laurel Lee](#), ruling that [Florida's S.B. 90](#) infringed on its right to free speech when the state forced the organization to make false claims to potential voters while trying to help them register to vote. U.S. District Court Judge Mark E. Walker also ruled in three cases consolidated with [HTFF v. Lee](#), mandating that Florida seek pre-clearance from the court for changes to voting laws that would restrict dropboxes, voting by mail, 3rd-party voter registration organizations, or assisting other voters in the next 10 years under [Section 3c of the Voting Rights Act](#). HTFF is represented by [Fair Elections Center](#), the [Southern Poverty Law Center](#), and [Baker McKenzie](#).

“The court has delivered a victory for voting rights organizations over new barriers to community voter registration drives created last year by Governor Ron DeSantis and Florida state legislators,” said **Michelle Kanter Cohen, policy director and senior counsel with Fair Elections Center**. “This decision vindicates the critical role of building community trust in voting and political participation that our client and other organizations fill. The ruling has established that S.B. 90 violates our client’s freedom of speech, and we call on Florida’s legislature and governor to stop enacting barriers to Floridians’ making their voices heard in our democracy.”

“We applaud the decision of the court to strike down forced speech provisions, enshrine voting rights and to establish protections for voters and voter registration organizations under preclearance,” said **Caren Short, senior supervising attorney for Voting Rights with SPLC**. “We have been proud to work alongside allies like the League of Women Voters, the Florida State Conference of the NAACP, and Florida Rising in challenging barriers to voting, and we will continue standing with them and Florida communities against barriers to voting.”

**Debra Dandeneau, partner at Baker McKenzie** said, “We were proud to lend our pro bono time, energy and talent to this victory for voting rights organizations and their freedom of speech.”

Upon hearing the ruling, **HTTF President and Co-founder Rosemary McCoy** reaffirmed her commitment to voting rights. “We founded HTFF to defend the voice of our community, so we are proud that our right to make our voices heard through organizing and free speech have been affirmed by today’s ruling,” McCoy said. “However organizations like HTFF are still needed to defend our communities’ right to vote, and we plan to redouble our efforts to empower our community to vote.”

### **Background:**

Harriett Tubman Freedom Fighters, Corp., is a nonprofit, nonpartisan organization that focuses voter registration efforts on new voters, particularly youth, communities of color, and returning citizens. The

state of Florida compelled HTFF and similar organizations to communicate a false state-sponsored message, at a specific time, to a specific audience when helping new voters to register. Fair Elections Center and SPLC filed litigation on behalf of HTFF on June 14, 2021, alleging that the law was void for vagueness under the due process clause of the 14th Amendment, compelled speech in violation of the First Amendment and prevented organizations from exercising their First Amendment rights of expression and association.

The case was consolidated for trial with these others:

[League of Women Voters of Florida, Inc. et al. v. Lee et al.](#)

- Argued that S.B. 90's drop box restrictions, mail-in ballot repeat request requirement, volunteer assistance ban, deceptive registration warning and food and water ban violate the First and 14th Amendments.

[Florida State Conference of Branches and Youth Units of NAACP et al. v. Lee et al.](#)

- Argued that S.B. 90 creates unnecessary barriers and burdens that disproportionately impact of Black and Latinx voters, and voters with disabilities, violating Section 2 of the Voting Rights Act, the First, Fourteenth, and Fifteenth Amendments to the United States Constitution, and Title II of the Americans with Disabilities Act.

[Florida Rising Together et al. v. Lee et al.](#)

- Challenged S.B. 90's limitations of the availability of drop boxes, addition of identification requirements to request a vote-by-mail ballot, prohibition of assistance to voters waiting in long lines, and imposition of new restrictions on third-party voter registration organizations

For documents, filings and decisions in *HTFF v. Lee*, please visit: <https://www.splcenter.org/seeking-justice/case-docket/harriet-tubman-freedom-fighters-corp-et-al-v-laurel-lee-et-al>

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*Fair Elections Center is a national nonpartisan and non-profit voting rights and election reform organization based in Washington, DC whose mission is to use litigation, public education, and advocacy to remove barriers to registration and voting, and to improve election administration. More info at [www.fairelectionscenter.org](http://www.fairelectionscenter.org).*

*The Southern Poverty Law Center is a catalyst for racial justice in the South and beyond, working in partnership with communities to dismantle white supremacy, strengthen intersectional movements, and advance the human rights of all people. For more information, visit [www.splcenter.org](http://www.splcenter.org).*