

Congress of the United States
House of Representatives
Washington, DC 20515-0910

September 12, 2024

The Honorable Merrick Garland
Attorney General
Department of Justice
950 Pennsylvania Avenue N.W.
Washington, DC 20530

Dear Attorney General Garland:

We request that you investigate the Florida government's recent abuses related to Amendment 4, the Right to Abortion Initiative, which would restore the right to an abortion up to viability. Governor DeSantis, who has been vocal about his opposition to Amendment 4, has leveraged his government to sabotage, suppress votes, and campaign against it.¹ These actions constitute an abuse of official resources to undermine political opponents.² Ensuring the honesty of our elections is of the greatest importance, which is why there are measures in place to ensure the validity of state constitutional amendment votes. The Governor's undemocratic actions undermine the rights of Floridians.

Earlier this year, Floridians Protecting Freedom surpassed the number of signatures needed to place Amendment 4 on the ballot this November, giving Floridians a chance to roll back Governor DeSantis's broadly unpopular, restrictive abortion law.³ Since then, local election supervisors, as well as independent groups, including the anti-abortion Liberty Counsel Action—who examined the petitions with “a fine-tooth comb”—have reviewed signatures for fraud and found nothing that would challenge the amendment's status.⁴

Now, several months after the deadline to challenge the validity of petition signatures, the DeSantis administration has ordered state officials to produce thousands of signatures related to the Amendment 4 petition spread across five Florida counties, offering little insight into its reasoning. Two experienced election supervisors characterized this request as “highly unusual” for several reasons.⁵ While past petition fraud cases have originated with invalid or obviously fraudulent signatures and examined all other signatures, the DeSantis administration is only asking for signatures that were already deemed valid and has not provided much public information about why it launched an investigation or what it is looking for.⁶

Further, many Floridians who signed the petition have reported that police have come to their house, some with copies of their birth certificates and other official documents related to them, to verify their

¹ Man, Anthony. “DeSantis Demands Republicans Publicly Oppose Amendment to Add Abortion Rights to Florida Constitution.” *Sun Sentinel*, Sun Sentinel, 9 Sept. 2024.

² Garcia, Justin, et al. “DeSantis Administration Reviewing Abortion Amendment Petitions for ‘Fraudsters.’” *Orlando Sentinel*, Orlando Sentinel, 5 Sept. 2024.; Miami Herald Editorial Board. *Fraud Prevention or Dirty Tricks? Florida Abortion Amendment Might Be under Attack Again*, Miami Herald, 7 Sept. 2024.

³ Garcia, “DeSantis Administration Reviewing Abortion Amendment.”

⁴ Garcia, “DeSantis Administration Reviewing Abortion Amendment.”

⁵ Garcia, “DeSantis Administration Reviewing Abortion Amendment.”

⁶ Nespral, Briana. “Florida Examining Abortion Amendment Petitions for Potential Fraud.” *WPTV News Channel 5 West Palm*, WPTV News Channel 5 West Palm, 6 Sept. 2024.; ⁶ Garcia, “DeSantis Administration Reviewing Abortion Amendment.”

signature. Residents say that these encounters left them feeling “shaken” and “intimidated.”⁷ Election supervisors for the regions these reports originated from were not notified police were knocking doors. A supervisor from an impacted district expressed confusion as to how houses were selected, given the request his office received from the administration was for a single signature.⁸

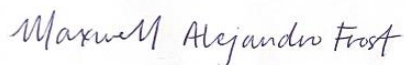
This investigation comes around the same time that the Florida Agency for Health Care Administration (AHCA) launched a webpage, following ads of the same nature, that some characterize as “bashing” Amendment 4.⁹ The page notes that the Amendment, “threatens to expose women and children to health risks,” and lists laws, including sanitation standards, that would supposedly be at risk if the Amendment passes.¹⁰ While the agency says these resources are meant to “combat disinformation,” many experts find the information the ACHA provides to be misleading and biased, equivalent to a “taxpayer funded political ad.”¹¹

When voters go to the polls, they should do so with confidence in the integrity of our elections to vote for initiatives that earned an honest place on the ballot. We are fully supportive of robust, transparent investigations into instances of signature fraud. The DeSantis administration’s tardy, opaque, unusual, and redundant investigation does not appear to be of this nature. We are concerned that this investigation, as well as the AHCA’s anti-Amendment 4 campaign, constitute an abuse of official resources to intimidate and unsettle voters out of voting for Amendment 4, which Governor DeSantis has a long, storied history of opposing.¹²

This suppressive and abusive conduct mirrors similar 2022 pre-election activity by the DeSantis administration to harass and arrest felons in Florida who recently had their voting rights restored. That infamous campaign likewise deployed so-called “election police” and overwhelmingly targeted minority communities in violation of federal civil rights statutes, specifically Section 10307, which states: “no person whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote.”¹³ These current and recent actions by the DeSantis administration to intimidate minority voters and to jeopardize a vote on a class of minority rights illustrates a clear and disturbing pattern.

We urge your department to launch an investigation into the DeSantis administration’s anti-democratic actions. Floridians, including the hundreds of thousands who contributed a signature in the hopes that they could vote to restore women’s right to bodily autonomy, deserve the freedom to cast a ballot in November untainted by illegal political ploys.

Sincerely,



Maxwell Alejandro Frost
Member of Congress



Debbie Wasserman Schultz
Member of Congress

⁷ Ellenbogen, Romy, et al. “DeSantis’ Election Police Questioned People Who Signed Abortion Petitions.” *Tampa Bay Times*, 5 Sept. 2024.; Mendoza, Jesse. “Police Looking into Ballot Petition Fraud Go Door Knocking.” *Miami Herald*, 6 Sept. 2024.

⁸ Mendoza, “Police Looking into Ballot Petition.”

⁹ Swisher, Skyler. “Critics Blast Florida’s Amendment 4 Website as Unlawful ‘Taxpayer-Funded Political Ad.’” *Orlando Sentinel*, Orlando Sentinel, 6 Sept. 2024.

¹⁰ Florida Agency for Health Care Administration. “Current Florida Law Protects Women, amendment 4 Threatens Women’s Safety.” *FloridaHealthFinder*.

¹¹ Swisher, “Critics Blast Florida’s Amendment 4.”

¹² Man, “DeSantis Demands Republicans Publicly Oppose Amendment.”

¹³ Jacobs, Shayna. “DeSantis Sued over Florida Restrictions on Felon Voting Eligibility.” *The Washington Post*, 19 July 2023.



Sheila Cherfilus-McCormick
Member of Congress



Frederica S. Wilson
Member of Congress



Lois Frankel
Member of Congress



Kathy Castor
Member of Congress



Darren Soto
Member of Congress