

On-the-spot report from Duval County, Florida

Jacksonville voters describe Election Day fraud and intimidation

Jerry White
13 December 2000

Information continues to come to light about the systematic disenfranchisement of working class voters in Florida, particularly in minority and immigrant neighborhoods. The National Association for the Advanced of Colored People (NAACP) has received hundreds of complaints, including reports of legal voters being turned away from the polls, black voters being harassed by state Highway Patrol officers outside of voting stations, and other acts of intimidation and fraud.

Even before Election Day, last November 7, the civil rights organization received reports of fraudulent phone calls from persons identifying themselves as NAACP officials urging voters to support George W. Bush. This prompted Florida NAACP leader Adora Obi Nweze on November 6 to publicly call on Florida Governor Jeb Bush (the Republican presidential candidate's brother) and the supervisors of elections to "ensure that tomorrow's voting will be clean, open and fair." Nweze said at the time, "We will not tolerate the use of fear, intimidation or scare tactics to stop our people from exercising their basic right to vote."

In Duval County nearly 27,000 ballots were rejected in the machine tabulation, the largest number of any county in the state. The bulk of the discarded votes were in Democratic-majority precincts in Jacksonville, including 9,000 in predominantly black precincts where Al Gore captured as much as 90 percent of the vote.

Jacksonville, a city of 720,000 residents in the northeast corner of the state, typifies the intersection of the so-called New South with the legacy of racial and class oppression associated with the Old South. Located midway between Miami and Atlanta, Jacksonville is an important business center for financial services, biotechnology, foreign trade, transportation and manufacturing. Economic expansion has led to a 20 percent population growth in the last decade and the rise of an extremely wealthy social layer that has overwhelmingly backed Governor Bush and two-term Republican Mayor John Delaney.

Despite economic growth, median hourly wages for Florida workers, adjusted for inflation, have dropped from \$10.24 in 1989 to a current level of \$10.10. As John Haley, vice president for business recruitment at Jacksonville's Chamber of Commerce, recently declared, "What Florida had done for many years was sell our poverty. We sold cheap labor, cheap land and no income tax."

Nearly 80 percent of black elementary school students in Jacksonville qualify for federal free-lunch programs because they come from impoverished backgrounds. The rate for white children, while half that for black children, is still 42 percent. A drive through some of the neighborhoods reveals poverty, homelessness and housing conditions that rival any inner city in the North. As recently as 1993, 47 percent of the county's residents were judged to be functionally illiterate, meaning they could read at no higher than a ninth grade level.

A review by the Jacksonville-based *Florida Times-Union* found that

nearly 42 percent of the discarded votes in Duval County came from City Council Districts 7, 8, 9 and 10, located in predominantly African-American areas of Jacksonville. More than 11,300 of the 59,650 ballots in those four districts—about 19 percent—were thrown out. By comparison, 7.5 percent were discarded in District 4, where 64 percent voted for Bush.

In the immediate aftermath of the election, Republican election officials concealed the extent of the discarded votes. Democratic officials have charged that Duval County Supervisor of Elections John Stafford, a Republican, waited until after the 72-hour deadline for filing a request for a manual recount to admit that 27,000, or 9 percent, of the votes had been rejected, nearly three times the amount discarded in 1996. Mike Langton, chairman of Democratic candidate Al Gore's Northeast Florida campaign, said Stafford originally claimed only 200 to 300 votes had been rejected.

Nearly 22,000 out of the 27,000 votes were nullified because voters chose more than one presidential candidate. Like Palm Beach County, a confusing ballot contributed to the large number of so-called overvotes. In Duval County 10 presidential candidates were listed over two pages. A sample ballot made public before the election included instructions to "Vote each page." A different ballot, telling voters to "turn page for continued list of candidates for president and vice president," was presented on Election Day. It is likely that many voters picked a president on page one, then voted again on the second page, resulting in the discarding of their votes.

Punch card voting machines failed to register a vote for president on an additional 5,000 ballots. As in other parts of Florida, voters in these districts had to use antiquated and poorly maintained voting machines, which in many cases failed to record their votes.

On December 5 several black Democratic legislators and a local voter filed a lawsuit to contest the Duval County results and demand a hand recount of discarded ballots. In addition to the confusing ballot, the lawsuit cited numerous cases of legal voters being told they were not on the list of registered voters, and others who were not allowed to sign an affidavit, in lieu of a photo ID, and vote.

The suit also complains that some Duval County drivers who registered to vote at the Department of Highway Safety and Motor Vehicles under Florida's motor-voter law were never actually registered because the department failed to forward their registrations to John Stafford's office. The lawsuit further cites problems with voting machines and the perforation on ballot cards that made it harder for voters to punch out chads.

On December 7 the Jacksonville branch of the NAACP held a public hearing on voter suppression and irregularities in Duval County. The hearing was held at Edward Waters College, a predominantly black school where hundreds of new voters were signed up prior to the elections but scores confronted problems voting.

A dozen witnesses gave sworn testimony to a panel of attorneys who questioned them about their experiences on Election Day and other relevant issues. The hearing received only cursory coverage by the news media.

The first witness was Richard Haywood, who shed light on the Bush administration's efforts to purge tens of thousands of African-Americans, Hispanics and poor people from the state's voting rolls by excluding alleged felons. Florida is one of 11 states that disenfranchise all convicted felons for life, and 525,000 Floridians, who have completed their sentences and supervision, cannot legally vote. Counting both inmates and ex-inmates, 24 percent of Florida's voting-age black males are denied the franchise.

In 1998, Jeb Bush's Division of Law Enforcement claimed that 50,000 felons were voting. It hired a private company, Database Technologies, to provide lists of resident felons to each county. But the company misidentified thousands of people, and after a barrage of complaints, nearly 8,000 of the 12,000 people who had received notices were subsequently reinstated.

The company, however, could not say whether the remaining 4,000 people were genuine felons, or ultimately had their voting rights restored. The Bush administration left it up to each county to determine whether the deleted voters were indeed felons. Some counties, in turn, placed the onus on individuals to prove they had been mistakenly disenfranchised.

Richard Haywood testified, "After I presented my identification, the poll worker stopped me from voting and summoned a supervisor. After a brief conference the supervisor told me to wait while she called someone on the phone. She handed me the phone and a voice asked me if I had ever been convicted of a felony. I said, no. Then she asked if I had been convicted of a misdemeanor and I said no again. The person said I could vote at another precinct, which I later did. But what worried me was that I looked on the registration list and saw that next to my name were two stars, then the letter "F," and then two stars again.

"I have been voting for 20 years without any problems. When I was in Vietnam in 1972, I had some trouble and was convicted as a youth offender, but my record was sealed and after a two-year probation the problem was resolved. Now someone has gotten into my sealed records and resurrected something that happened more than 25 years ago.

"This breach of trust is unfathomable. Someone arbitrarily took my record and illegally divulged information. If you're 10 times richer, do you think something like that would happen? There are others out there with the same story. I could have been easily discouraged and left without voting."

Gail Locklee testified about the confusing ballots used in the county. "I have been voting for 20 years and I've never seen a ballot like this. If you didn't look and carefully read it, you could have easily voted for one presidential candidate on each page. My mother is in her 70s and my uncle is 82. They were very confused and they may have voted for more than one candidate and had their votes thrown out."

Julie Ann Cumming testified about the high percentage of votes tossed out in precincts that favored Gore. "On election night, after the state had been called for Bush at 2:30 in the morning, my husband, who is a computer programmer and analyst, and I downloaded results from the supervisor of elections web site.

"We put the results for precincts 7,8,9 and 10 in Duval County on a spreadsheet and an odd pattern emerged. Whenever the margin between Gore and Bush narrowed, more votes for Gore would be thrown out. In precincts where Gore went ahead of Bush the percentage of discarded votes also increased. If it was a heavy Bush precinct, the rejections were only 3 to 4 percent. If I were to guess, I'd say someone used a software program to get these results. This might not be the case, but no one in charge has looked into this."

Christopher Blue said he was not able to vote until he had been shuttled by poll workers to four different precincts because his name was allegedly not on the list of registered voters. "I showed a utility bill as proof of address and my drivers license. At one polling station I waited 30 minutes because the polling official said it was too crowded for her to take time with me. At another station I waited 25 minutes. I was never told I could sign an affidavit that I hadn't voted elsewhere. Instead I spent an hour and a half, driving around with my daughter from poll to poll, before I was finally able to vote."

Robert Baldwin, a white worker, testified about the unequal treatment that was meted out to black voters. "At my polling place I gave my name and reached for my wallet, but couldn't find my registration card. The poll worker said you don't need a registration, just a photo ID. Almost immediately after I voted and got home the press started reporting about people being turned away from voting because they didn't have a registration card. If I didn't need one, I said, then why did they? Everyone should be held to the same standard.

"I was born and raised in southeast Alabama. You know the atmosphere there. I was certain that if I was a black guy and couldn't find my registration card, the lady would have told me to wait until I found it. It's a predominantly minority area where I live and I figure that it's a matter of fairness."

Rita Wilson said, "I was told that I wasn't on the voters list although I had voted in the previous election. There was a large African-American turnout at my polling station and I saw at least 10 other voters turned away while I looked for my name. I was very persistent and I finally found my name. I was determined to vote, and I did."

Eugene Armeo, a poll watcher in a Jacksonville precinct, said, "I worked the polls from seven in the morning to four in the afternoon. There were numerous problems with people's names not being on the registration lists. The clerk made numerous calls to the election supervisor, but the lines were constantly busy. A lot of voters who had problems were African-Americans. At my precinct the clerks tried to treat everyone fairly, but they had a hard time confirming that people were registered.

"I saw an interview with Stafford, the county election supervisor, where he said he only took one or two calls from people having difficulties at the polls. From my own observation, I know that is not true. People were supposed to be in the registration books and they weren't. Things were bad enough while I was there, but it got even busier in the late afternoon and evening when people got off of work, and my precinct is not even one of the busiest in the city."

After the hearing, one young worker told the *World Socialist Web Site*, "America speaks a good game when they go to other countries and say the US believes in freedom of speech and the right to vote. But we all saw what happened on November 7. The American people are growing disillusioned with both parties that have given in to the powerful. It's time that we defend our rights just as ruthlessly as the big boys do."



To contact the WSWs and the
Socialist Equality Party visit:

wsws.org/contact