

Election fraud is alive and well in Florida

| Commentary



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What if someone told you that the party elites have built-in systemic protections shielding them from competition in election season? You would think it's a conspiracy theory.

But this isn't a fantasy, it's a travesty.

In 1997, before I was even born, over 60% of Floridians cast their ballots up and down the peninsula in favor of opening the primaries when only one party was running candidates. The resulting Universal Primary Amendment requires that primaries must be open to all voters if the winner of the primary will face no opposition in the general

election. It's just common sense that if the primary is the de facto general election, all voters should be able to participate. After all, if only Republicans or Democrats are running in a district, why should voters only in that party be able to pick who is going to represent everyone?

The Universal Primary would have solved that... had it not been for party elites who started recruiting sham candidates. Three years after voters spoke, then Secretary of State Katherine Harris wrote an opinion that if even one person writes in a candidate from the opposing party, it could effectively close the primary again. Write-in candidates don't appear by name on the ballot, so when used nefariously, nobody knows to vote for that candidate except for the write-in candidate themselves. The Florida courts have refused to intervene.

This is the notorious write-in-loophole, and for the past 20 years operatives with both the Republican and Democratic parties have used it to close elections. The numbers are staggering. Recent research that looked just at state legislative races found that over 8 million voters — Republicans, Democrats, and independents — all have been shut out. This is not a partisan issue. It is affecting Floridians of every political persuasion. Over 100 races have been closed all over the state of Florida. Imagine how many other state and countywide races have been affected.

How legitimate are these write-in candidates? Most never spent a dime on their campaigns, and had no staff. These are largely paper candidates that Democrats *and* Republicans have put forth for no other reason than to control the outcome of elections and shut out voters. It's one of the greatest ongoing corruption scandals in the state of Florida.

One need look no further than our friends down south in Collier County, who were recently voting for members of their county commission, including District 4 in which Penny Taylor was an incumbent. Three other candidates from Taylor's party, Republicans, were also vying for the seat, but no Democrats or third parties filed to run for this seat. This was a Republican-only primary, and in any correct interpretation of the 1997 amendment, it should have been open to all voters to vote. Taylor's opposition grew nervous that hyper-partisan politicking could not win in an election that other parties could vote in, so one supporter by the name of Bill Oppenheimer filed as a Democratic Party write-in candidate and told no one. Because of Oppenheimer's actions, he effectively nuked the entire primary (pun intended), leaving 26,000 non-Republican voters out of this uncontested election. Penny Taylor was unseated in the closed primary shortly after.

That's why I have joined Florida Open Primaries — a coalition of local and national activists — to launch a campaign to document the full extent that write-in candidates have been used to trigger a closed primary election and call on the Legislature to close the write-in loophole. This is not the first time Floridians have tried overturning this loophole. In 2017, members of the Constitution Revision Commission drafted language for an amendment that would have eliminated it, but the full Commission voted it down. Now it's time to finish the job.

This tiny loophole has caused disproportionately large consequences for our elections. It's one of the key reasons so many young voters, like myself, have become so cynical about politics in our state. It's time legislators in Tallahassee put their war aside for once and move to fix this to make elections fairer for all. It's time to close the write-in loophole!

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