

Text of Broward County recount letter
November 15, 2000

Text of the letter sent by Broward County elections officials to Secretary of State Katherine Harris in relation to Democratic Party lawsuit:

Dear Secretary Harris:

This letter is in response to your November 14, 2000 memorandum in which you required the Broward County Canvassing Board (the "Board") to submit a written statement of facts and circumstances justifying an amended certification of county returns. The Board has concluded that the limited manual recount to date indicates an error in the vote tabulation which could affect the outcome of the election, requiring a manual recount of all ballots. The Board states the following additional facts and circumstances that justify an amended certification:

1. Extremely large voter turnout, and the resulting ballots cast, dramatically increased the time required for the initial tabulation.
2. This Board, representing voters in the second largest county in Florida, needs additional time to complete all necessary tabulation, and should be afforded more time than boards representing voters in less-populated counties.
3. The large number of ballots has created additional logistical problems, requiring that ballots be moved to an alternate location for further tabulation. The Supervisor's location can accommodate a very limited number of counting teams.
4. The Board has encountered significant periods of delay, including:
 - A. The actions of the Board have been materially impacted by numerous lawsuits, including lawsuits filed in state circuit courts in Broward County, Palm Beach County and Leon County, and in federal court in both the Southern District and Middle District of Florida.
 - B. The actions of the Board have been materially impacted by conflicting opinion letters issued by Cabinet officers. On November 13, 2000, an opinion letter was issued by the Director of the Division of Elections, on behalf of the Secretary of State. On November 14, 2000, a conflicting opinion letter was issued by the Office of the Attorney General. These opinion letters impacted the Board's decision-making process regarding a manual recount and further impeded the Board's ability to proceed more expeditiously.

C. One of the members of the Board, Supervisor of Election Jane Carroll, was out of state on a pre-planned family holiday and therefore unavailable from November 9, 2000 through November 12, 2000.

D. The Veterans' Day holiday, observed in Broward County by different governmental agencies on either November 10, 2000, or November 13, 2000, further limited the Board's ability to act.

E. The Board was required by state law to conduct an automatic recount prior to determining the necessity of a full manual recount.

Based on these facts and circumstances, the Board voted today to begin a full manual recount. The Board expects to complete the recount by 5:00 p.m. on Monday, November 20, 2000. In accordance with your memorandum, the Board will advise you in the future of any change in relevant facts and circumstances regarding this recount, including the estimated completion time.

Please feel free to contact me with any question or concerns.

Respectfully Submitted,

Robert W. Lee

County Court Judge

Chair, Broward County Canvassing Board