



THE FLORIDA INFLUENCER SERIES

Ex-felons in Florida should be able to vote without limitations, Influencers say

BY SAMANTHA J. GROSS

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Hundreds of former felons celebrated Amendment 4, which restores voting rights to more than 1.2 million Floridians, on the steps of the state Capitol on March 11, 2019. BY [EMILY L. MAHONEY](#) ✉ | [MARTA OLIVER CRAVIOTTO](#) ✉

As Florida lawmakers wrestle with what it means for an ex-felon to have completed his or her sentence so voting rights can be restored, a panel of influential Floridians says the state should swiftly implement Amendment 4 without adding restrictions.

In a new survey of the [Florida Influencers](#), a group of 50 prominent political and policy figures from across the state, a majority (54 percent) said former felons should not have to pay back all fines, court fees and restitution before being eligible to vote.

“I am opposed to the denying returning residents of a fundamental right under the constitution due to delinquency with financial payments,” said Barron Channer, CEO of the Woodwater Group. “This is not in line with the ethos of our democracy and it was not in line with the understood intent of the referendum and subsequent amendments that were widely supported.”

The issue has been hotly debated since the 2018 midterm election, when voters overwhelmingly approved the state constitutional amendment, which aimed to overturn Florida’s policy of felon disenfranchisement and restore former felons’ rights to vote.

For the past seven years, felons have had to wait five years after completing their sentence to even apply to have their voting rights restored. Under the former process, felons had to appeal to the state clemency board for a hearing — a process that could take 10 years to complete. Because of the restrictive laws, Florida once barred more former felons than any other state

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Both chambers of the Legislature have agreed that restitution — the money felons are required to pay to their victims — must be paid out in full before they can register to vote. The bill language also allows ex-felons to vote if their court fees and costs have been converted to a civil lien, which is common. The bill language excludes former felons who are convicted of murder or sex crimes, which was laid out in the wording on the ballot.

Court fees, which can total more than \$1,000, are at the center of the debate, sparking national figures like New York Congresswoman Alexandria Ocasio-Cortez to call it a “poll tax.” Others accuse the Republican-controlled Legislature of barring people from voting.

But according to a panel of the state's leading voices, former felons shouldn't have to jump through those hoops.

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Catherine Stempien, president of Duke Energy Florida, likened requirements to pay fines and fees to an "illegal poll tax."

"Requiring felons to pay fines and court fees before they can vote is akin to an illegal poll tax in my opinion," she said. "We should better focus our time on ensuring that the criminal justice system is fair and unbiased."

While most of the Influencers say unpaid fines and fees should not bar ex-felons from voting, 21 percent said they were unsure of what it means to complete one's sentence.

Miami Dade College Executive Vice President and Provost Lenore Rodicio said because the question is complex and different depending on the sentence, there's no "one-size-fits-all" answer.

"We should return to the question at the heart of the matter: Did the individual repay his/her debt to society as prescribed in his/her sentence?" she said. "If the answer is yes, then his/her voting rights should be restored."

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Eric Montes de Oca, vice president of Grycon LLC, said the intricacies involved with restitution give him pause.

Restitution status is not tracked by the state, and sometimes even felons don't know how much they owe. Each county in Florida and each judge can handle restitution differently, and while in prison or on probation, the Department of Corrections oversees collecting restitution. But that ends when the felon is off probation, leaving the amount of withstanding debt largely unknown. Even victims who are still around don't know what to do with the restitution checks they get, one county clerk [told the Tampa Bay Times](#).

“How and who would calculate the amount an ex-felon has to pay back as it pertains to fines, fees and restitution?” Montes de Oca asked. “Subsequently, who would benefit from that payback, the state, local government, the victims?”

Still, 25 percent of the Influencers said that restitution and fees are critical to sentence completion.



Florida excludes more former felons from voting than any other state because of its restrictive restoration of rights laws.

By Miami Herald/Times Tallahassee Bureau

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Polling workers help people to check in as voters casting their vote during the midterm election in Miami-Dade County at Miami Beach Fire Station #3 on Tuesday, November 6, 2018. DAVID SANTIAGO
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