



---

Posted on Tue, May. 02, 2006

## LEGISLATURE

# Ex-felons get help regaining civil rights

State lawmakers have passed legislation that will give thousands of ex-felons a better shot at regaining their civil rights, including the right to vote.

BY DEBBIE CENZIPER AND GARY FINEOUT  
[dcenziper@MiamiHerald.com](mailto:dcenziper@MiamiHerald.com)

**TALLAHASSEE** - In a rare show of support for disenfranchised felons, the Florida Legislature on Monday unanimously passed a bill requiring county jails to help thousands of inmates apply for their civil rights once they have paid for their crimes.

The bill, now headed to Gov. Jeb Bush for approval, closes a little-known loophole in state law that has cost an estimated 50,000 felons since 1980 the chance to vote, serve on a jury, hold public office or qualify for various occupational licenses.

Monday's vote represents one of the first times in state history the Legislature has intervened on behalf of felons, who have been barred for 137 years by the state's Constitution from regaining their most basic rights.

Only the Florida Clemency Board, made up of the governor and Cabinet, can restore rights to felons.

State law has required the Department of Corrections to assist felons released from state prison or supervision with the clemency process by automatically forwarding their names to the Clemency Board for consideration.

But the law ignores felons released from dozens of local jails statewide, even though most are nonviolent offenders who should have the best shot at getting their rights back. The state largely relies on county officials, most often sheriffs, to run and regulate jails.

The oversight was first revealed in a 2004 Herald investigation that exposed widespread breakdowns in Florida's clemency system. The newspaper found that since 1987, less than 2 percent of all felons who had their rights restored came from jails.

State Sen. Frederica Wilson, a Miami Democrat, and Rep. Chris Smith, a Fort Lauderdale Democrat, sponsored the legislation to close the gap. The Senate on Monday voted 39-0 in favor of the measure.

The House earlier this month approved the bill by a 117-0 vote.

In a state with the highest number of disenfranchised voters in the nation, the move was heralded by lawmakers and civil rights advocates.

"We still have a lot of work to do, but it's a start," Wilson said Monday. "We're talking about helping people get back to work; otherwise, we're setting up a permanent underclass of people who can't get jobs. They end up resorting to crime."

Smith agreed that the action could at least "open the door to more people getting their rights restored."

If signed by the governor, the law would require county jails to give outgoing inmates the forms needed to regain their rights. But applicants will still face an uphill battle.

State auditors earlier this year found the backlog of clemency applications since 2001 has almost doubled to more than 13,000. And the wait time is growing. To date, more than 12,000 people have waited 16 months or more for word on their applications.

The only permanent solution, civil rights advocates say, is removing the voting ban from the state's Constitution and automatically restoring rights to all but the most egregious felons. This year, Wilson and other lawmakers again proposed a bill that would give Florida voters the chance to decide the issue, but the move gained little traction in the Legislature.

Said Reginald Mitchell, with the advocacy group People for the American Way: ``This is not a sprint. It's a marathon, and we're not going away.''

Miami Herald investigations editor Michael Sallah contributed to this report.

---

© 2006 MiamiHerald.com and wire service sources. All Rights Reserved.  
<http://www.miami.com>