



## FLORIDA RIGHTS RESTORATION COALITION

### 2010 CANDIDATE RIGHTS RESTORATION REPORT CARD

Florida's felony disfranchisement policy is one of the most restrictive in the country. Every year, hundreds of thousands of Florida's citizens with past felony convictions are barred from voting despite having completed the terms of their sentences. On April 5, 2007, the Board of Executive Clemency adopted a revised set of rules governing the restoration of civil rights (including voting rights) (known as "RCR," or "restoration of civil rights") for people with felony convictions. These new rules streamlined the RCR process for some people. However, many Floridians are still ineligible to have their rights restored because of the preconditions set out by the 2007 rules. Moreover, hundreds of thousands more are eligible but have not had their rights restored due to inefficiencies of the current system.

This year, Florida voters will elect the next Governor, and three members of the Cabinet: Attorney General, Chief Financial Officer and Commissioner of Agriculture and Consumer Services. The Governor and these three members of the Cabinet serve as the Board of Executive Clemency. This Board has the authority to make restoration of civil rights virtually automatic, notwithstanding the civil rights ban contained in the Florida Constitution, as follows: the Governor and two members of the Clemency Board may vote at anytime to amend the Rules of Executive Clemency so that the rights to vote, hold public office, and serve on a jury are automatically restored to the over 950,000 Florida citizens who have completed their sentences but currently do not have these rights.

The Florida Rights Restoration Coalition (FRRC) asked all candidates for Florida Governor, Attorney General, Chief Financial Officer and Commissioner of Agriculture and Consumer Services to complete a survey of their positions on civil rights restoration. The questions were designed to determine whether the candidates support reform of Florida's RCR policy (constitutional reform and/or reform of the Rules of Executive Clemency), and the nature of any reforms they support. This FRRC report card is intended to inform Florida voters of the candidates' positions on this critical civil rights issue.

Many candidates responded to the FRRC survey. Gubernatorial candidates Peter Allen, Michael Arth, Karl Behm, Bud Chiles, Farid Khavari, Daniel Imperato, Brian Moore, John Wayne Smith and C. C. Reed responded. Attorney General candidates Dave Aronberg, Dan Gelber and Jim Lewis responded. Chief Financial Officer candidate Tom Stearns responded. Commissioner of Agriculture candidate Thad Hamilton responded. Their answers appear below.

Many candidates did not respond to the FRRC's many requests for responses. Gubernatorial candidates Josue Larose, Mike McCalister, Bill McCollum, Rick Scott, and Alex Sink did not respond. Attorney General candidates Holly Benson, Pam Bondi, and Jeff Kottkamp did not respond. Chief Financial Officer candidates Jeff Atwater, Lorrane Ausley, and Ken Mazzie did not respond. Commissioner of Agriculture candidates Ira Chester, Scott Maddox and Adam Putnam did not respond. **FLORIDA VOTERS HAVE A RIGHT TO KNOW WHERE THESE CANDIDATES STAND ON CIVIL RIGHTS RESTORATION. PLEASE CONTACT THESE CANDIDATES and urge them to answer the FRRC questionnaire and tell the voters their positions on rights restoration.** (Each candidate's contact information can be obtained from his/her campaign website.)



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## 2010 CANDIDATE RIGHTS RESTORATION REPORT CARD

### CANDIDATE RESPONSES

**1. Do you support automatic restoration of civil rights for all persons with felony convictions who have completed their sentences and for whom all conditions of supervision have expired or been completed (including, but not limited to, parole, probation, community control, control release and conditional release)?**

Gubernatorial Candidate Responses									
	Allen Peter (IDP)	Arth Michael (NPA)	Chiles, Lawton "Bud" (NPA)	Imperato, Daniel (NPA)	Moore, Brian (DEM)	Smith, John Wayne (LIB)	Khavari Farid (DEM)	Behm, Karl C.C. (DEM)	Reed, C. C. (NPA)
Yes, without restriction or limitation		✓		✓	✓	✓	✓		✓
Yes, but with statutory restrictions	"If convicted more than once, two separate occasions."		"Prohibit ownership or possession of a firearm unless restored by Clemency Board."					"If U Scew up the 2nd time there will be NO reinstatement. U should be allowed to have ONE chance to redeem stupidity."	



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**(Contd.) 1. Do you support automatic restoration of civil rights for all persons with felony convictions who have completed their sentences and for whom all conditions of supervision have expired or been completed (including, but not limited to, parole, probation, community control, control release and conditional release)?**

Attorney General Candidate Responses			
	Aronberg, Dave (DEM)	Gelber, Dan (DEM)	Lewis, Jim (NPA)
Yes, without restriction or limitation			
Yes, but with statutory restrictions		“No automatic for all capital offenses.”	“I support restoration of all civil rights except for processing firearms.”
Other	“I support Florida's new law on the restoration of civil rights, but realize that the Parole Commission needs to be better funded to make speedier civil rights restoration a reality.”		



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**(Contd.) 1. Do you support automatic restoration of civil rights for all persons with felony convictions who have completed their sentences and for whom all conditions of supervision have expired or been completed (including, but not limited to, parole, probation, community control, control release and conditional release)?**

Chief Financial Officer (CFO) Candidate Responses	
	Stearns Tom (NPA)
Other	“No I do not support automatic restoration of civil rights for all persons.”

Commissioner of Agriculture & Consumer Services Responses	
	Hamilton, Thaddeus “Thad” (DEM)
Yes, without restriction or limitation	✓



## FLORIDA RIGHTS RESTORATION COALITION

### 2010 CANDIDATE RIGHTS RESTORATION REPORT CARD

**2. Would you support/encourage passage of legislation that would put on the ballot a constitutional amendment to the Florida Constitution that would remove the civil rights ban imposed on persons with past felony convictions?**

Gubernatorial Candidate Responses									
	Allen, Peter (IDP)	Arth, Michael (NPA)	Chiles, Lawton "Bud" (NPA)	Imperato, Daniel (NPA)	Moore, Brian (DEM)	Smith, John Wayne (LIB)	Khavari, Farid (DEM)	Behm, Karl C.C. (DEM)	Reed, C.C. (NPA)
Yes, without restriction or limitation		✓		✓	✓	✓	✓	✓	✓
Yes, but with the restrictions described in response to question 1	✓		✓						

Attorney General Candidate Responses			
	Aronberg, Dave (DEM)	Gelber, Dan (DEM)	Lewis, Jim (NPA)
Yes, but with the restrictions described in response to question 1		✓	✓
Other	"I would need more details on what restrictions would be contained in the constitutional amendment. See my response to question #1."		



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### 2010 CANDIDATE RIGHTS RESTORATION REPORT CARD

**(Contd.) 2. Would you support/encourage passage of legislation that would put on the ballot a constitutional amendment to the Florida Constitution that would remove the civil rights ban imposed on persons with past felony convictions?**

Chief Financial Officer (CFO) Candidate Responses	
	Stearns Tom (NPA)
Other	“Florida is one of three states that have the civil rights ban let the voters decide.”

Commissioner of Agriculture & Consumer Services Responses	
	Hamilton, Thaddeus “Thad” (DEM)
Yes, without restriction or limitation	✓
Other	“Let the people of Florida Vote on it.”



## FLORIDA RIGHTS RESTORATION COALITION

### 2010 CANDIDATE RIGHTS RESTORATION REPORT CARD

3. Until the civil rights ban is removed from the State Constitution, would you, as a member of the Clemency Board, vote to revise the Rules of Executive Clemency to provide for immediate and automatic, paper-work free civil rights restoration for all persons who have completed their sentences, and whose conditions of supervision have expired or been completed?

Gubernatorial Candidate Responses									
	Allen, Peter (IDP)	Arth, Michael (NPA)	Chiles, Lawton "Bud" (NPA)	Imperato, Daniel (NPA)	Moore, Brian (DEM)	Smith, John Wayne (LIB)	Khavari, Farid (DEM)	Behm, Karl C.C. (DEM)	Reed, C. C. (NPA)
Yes, without restriction or limitation		✓		✓	✓	✓	✓		✓
Yes, but with some restrictions	"Rights will only be restored once."		"Immediate and automatic restoration with restriction on ownership or possession of firearm unless restored by Clemency Board."					"U asked the same ? twice but in a different way."	



## FLORIDA RIGHTS RESTORATION COALITION

### 2010 CANDIDATE RIGHTS RESTORATION REPORT CARD

**(Contd.) 3. Until the civil rights ban is removed from the State Constitution, would you, as a member of the Clemency Board, vote to revise the Rules of Executive Clemency to provide for immediate and automatic, paper-work free civil rights restoration for all persons who have completed their sentences, and whose conditions of supervision have expired or been completed?**

Attorney General Candidate Responses			
	Aronberg, Dave (DEM)	Gelber, Dan (DEM)	Lewis, Jim (NPA)
Yes, but with some restrictions		“Same as above re capital offenses.”	“Exclude firearm possession.”
Other	“I would vote to speed up the restoration process, and support increased funding for the Parole Commission to help eliminate the backlog of applicants.”		

Chief Financial Officer (CFO) Candidate Responses	
	Stearns Tom (NPA)
Yes, but with some restrictions	“Not without the submission of additional written information.”

Commissioner of Agriculture & Consumer Services Responses	
	Hamilton, Thaddeus “Thad” (DEM)
Yes, without restriction or limitation	✓



## FLORIDA RIGHTS RESTORATION COALITION

### 2010 CANDIDATE RIGHTS RESTORATION REPORT CARD

**4. If you do not support immediate and automatic, paperwork-free civil rights restoration, would you support changes to the current process for reviewing RCR applications to eliminate the current backlog of applications?**

Gubernatorial Candidate Responses									
	Allen, Peter (IDP)	Arth, Michael (NPA)	Chiles, Lawton "Bud" (NPA)	Imperato, Daniel (NPA)	Moore, Brian (DEM)	Smith, John Wayne (LIB)	Khavari, Farid (DEM)	Behm, Karl C.C. (DEM)	Reed, C. C. (NPA)
I support automatic, paper-work free civil rights restoration immediately upon completion of sentence and expiration or completion of all conditions of supervision.	✓	✓		✓					✓



## FLORIDA RIGHTS RESTORATION COALITION

### 2010 CANDIDATE RIGHTS RESTORATION REPORT CARD

**(Contd.) 4. If you do not support immediate and automatic, paperwork-free civil rights restoration, would you support changes to the current process for reviewing RCR applications to eliminate the current backlog of applications?**

Gubernatorial Candidate Responses									
	Allen, Peter (IDP)	Arth, Michael (NPA)	Chiles, Lawton "Bud" (NPA)	Imperato, Daniel (NPA)	Moore, Brian (DEM)	Smith, John Wayne (LIB)	Khavari, Farid (DEM)	Behm, Karl C.C. (DEM)	Reed, C. C. (NPA)
All persons with felony convictions who have completed their sentences and for whom all conditions of supervision have expired or been completed, would be eligible for restoration of civil rights once they have submitted a completed application to the Clemency Board.	✓		✓		✓				
I would not require a hearing for restoration of civil rights.	✓				✓				
I would increase the number of cases that can be determined without a hearing.	✓		✓		✓				



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**(Contd.) 4. If you do not support immediate and automatic, paperwork-free civil rights restoration, would you support changes to the current process for reviewing RCR applications to eliminate the current backlog of applications?**

Gubernatorial Candidate Responses									
	Allen, Peter (IDP)	Arth, Michael (NPA)	Chiles, Lawton "Bud" (NPA)	Imperato, Daniel (NPA)	Moore, Brian (DEM)	Smith, John Wayne (LIB)	Khavari, Farid (DEM)	Behm, Karl C.C. (DEM)	Reed, C. C. (NPA)
I would hold Clemency Board Meetings in more locations throughout the state.	✓		✓		✓				
Other							(See Additional Comments below)	(See Additional Comments below)	



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**(Contd.) 4. If you do not support immediate and automatic, paperwork-free civil rights restoration, would you support changes to the current process for reviewing RCR applications to eliminate the current backlog of applications?**

**Additional comments:**

Khavari: "I'll give them job and needed education and ease their integration in the society."

Behm: "I think that FI was paid NOT to spend alot of money on a Constitute Law that is not in affect with your way of thinking. The FI law doesn't specify the reinstatement of a Felony and the Constitution doesn't either, BUT I beleave that the State Of Florida should have Investigated ALL of the Clemency Cases as to being Paid to do so. As Governor of Florida I will do as I say and do this as the right thing to do. I hava a Convicted Felony who did his crime and had PAID His Dues/Time ect. I DON'T Look, or even disrespect him, for He has, did his Time and I respect that, I gave him a JOB working for me. His is a good person who did something bad and has learned from it and He is moving on with his life, better now because (someone) beleaves in HIM. I do beleve that Clemency should be rewritten in having the Constitution of FI, reinstate all rights to all who goes through this. I beleave that U should get at least a second chance because most people DONOT know about the LAW as to the Officers of the Court and there for they ( the Conveccted) should be given a second chance. Thank U."



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**(Contd.) 4. If you do not support immediate and automatic, paperwork-free civil rights restoration, would you support changes to the current process for reviewing RCR applications to eliminate the current backlog of applications?**

Attorney General Candidate Responses			
	Aronberg, Dave (DEM)	Gelber, Dan (DEM)	Lewis, Jim (NPA)
I support automatic, paper-work free civil rights restoration immediately upon completion of sentence and expiration or completion of all conditions of supervision.		✓	✓
I would support a process that automatically restores civil rights upon receipt of documentation from the state or county correctional facility that the sentence is complete and all conditions of supervision have expired or are complete.		✓	✓



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**(Contd.) 4. If you do not support immediate and automatic, paperwork-free civil rights restoration, would you support changes to the current process for reviewing RCR applications to eliminate the current backlog of applications?**

Attorney General Candidate Responses			
	Aronberg, Dave (DEM)	Gelber, Dan (DEM)	Lewis, Jim (NPA)
I would not require a hearing for restoration of civil rights.		✓	✓
I would increase the number of cases that can be determined without a hearing.	✓	✓	✓
I would increase the number of times the Clemency Board meets so that more cases may be considered each year.	✓	✓	✓
I would hold Clemency Board Meetings in more locations throughout the state.	✓	✓	✓
Other		“Same limitation re capital offenses.”	



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**(Contd.) 4. If you do not support immediate and automatic, paperwork-free civil rights restoration, would you support changes to the current process for reviewing RCR applications to eliminate the current backlog of applications?**

Chief Financial Officer (CFO) Candidate Responses	
Stearns Tom (NPA)	
Other	“Increase the number of Clemency Board Meetings and have the Legislature review Florida Statute 435, which bars the State from hiring person who have not had their rights restored.”

Commissioner of Agriculture & Consumer Services Responses	
Hamilton, Thaddeus “Thad” (DEM)	
I would support a process that automatically restores civil rights upon receipt of documentation from the state or county correctional facility that the sentence is complete and all conditions of supervision have expired or are complete.	✓
Other	“We need to eliminate the current backlog of cases”



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The following candidates for Governor did not state their positions on RCR in response to the survey:

- Larose, Josue (DEM)
- McCalister, Mike (REP)
- McCollum, Bill (REP)
- Scott, Rick (REP)
- Sink, Alex (DEM)

The following candidates for Attorney General did not state their positions on RCR in response to the survey:

- Benson, Holly (REP)
- Bondi, Pam (REP)
- Kottkamp, Jeff (REP)

The following candidates for Chief Financial Officer did not state their positions on RCR in response to the survey:

- Atwater, Jeff (REP)
- Ausley, Lorrane (DEM)
- Mazzie, Ken (DEM)
- Stearns, Tom (NPA)

The following candidates for Commissioner of Agriculture & Consumer Services did not state their positions on RCR in response to the survey:

- Chester, Ira (TEA)
- Maddox, Scott (DEM)
- Putnam, Adam (REP)