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RESTORATION OF CIVIL RIGHTS SELF-PREPARATION GUIDE

ASSEMBLING A PERSONAL PORTFOLIO & PREPARING FOR YOUR HEARING

ASSEMBLING YOUR PORTFOLIO

What is a personal portfolio and why should I consider submitting one?

[NOTE: If you are convicted of a “Level 1” felony offense you do **not** need to “apply” for RCR and we do **NOT** recommend that you submit a personal portfolio.]

A personal portfolio is a collection of **OPTIONAL** materials that support a Restoration of Civil Rights (“RCR”) application (Data Worksheet) completed by people with Level 2 and 3 felony convictions. If you have a Level 2 or Level 3 felony conviction and if you choose to submit a portfolio with your application, you must take responsibility to collect information to include in it. The information in your portfolio should show your progress as a productive and law abiding member of society. Examples of supporting documents are: letters of support, a personal letter from you to the members of Board of Executive Clemency, and any certificates, awards, or recognitions you have received.

A well-presented personal portfolio may make a dynamic difference in the review of your application by the Florida Parole Commission. A portfolio may be particularly helpful if you have a “Level 2” case because you may be eligible for RCR without a hearing and the decision to grant your RCR application should take into consideration your supporting documentation. Although a personal portfolio is NOT required, it is a worthwhile extra effort that can increase your chances of a favorable review of your RCR application. The following suggestions may be effective in assisting you to assemble a RCR portfolio.

STEP 1: The Pre-Planning Process

Preparing to achieve a successful outcome in the RCR application process requires a two-fold planning process: long-term and short-term. Before taking any action after you file your Data Worksheet, there are several factors you should consider. Your own attitude, and thinking through how to make the most of your activities and community contacts will help you advance not only in the RCR process, but possibly in other life endeavors as well.

Ask yourself the following questions:

1. Have I put forward every reasonable effort to be a productive and law-abiding member of society?
2. Have I documented my progress in society with regards to my employment, community activities, involvement in church and other social programs, etc.?
3. Have I cultivated any ties in the community that would be useful to my future progress? Am I still maintaining open communication with these community members and keeping them informed of my progress?
4. Am I staying abreast of all events relating to my case, situation, and needs?
5. Am I prepared to take full responsibility for getting my rights restored?

A FEW DO'S FOR YOU:

1. Critically analyze yourself – be honest with yourself. Have you done anything that would incline others to want to help you or make an extraordinary recommendation on your behalf? Have you done something that would cause them NOT to want to assist you? If so, what can you do about it?
2. Allow yourself to be critically analyzed by a few others whose opinions and perspectives you respect and trust. Make yourself accountable to some individuals of your own choosing. It is not easy to open yourself up, but if done properly it will prove a worthwhile endeavor.
3. Your expectations from the people who are assisting you should be expressed, explained, and defined in clear terms. It is your responsibility to keep them abreast of all events relating to your case/situation. Employment, community activities, and group or organization affiliations, etc. are all important to you. THEY ARE EQUALLY AS IMPORTANT TO THOSE DESIRING TO HELP YOU!
4. **Keep a copy of your completed application in a personal file at home. Make sure to keep copies of ALL additional information you submit to the Office of Executive Clemency.**

STEP 2: Preparing Your Personal Portfolio

Now that you have considered how the people and activities in your life – not to mention your own positive attitude – can help you in the RCR process, you’re ready to start collecting information for your portfolio. The checklist below contains a variety of items that you might wish to include in your portfolio. Workshop volunteers can direct you in how to get each of these items. You can use the spaces below to check off items as you get them. However, this checklist is not all-inclusive. You may think of additional items – such as press clippings from a community event in which you were involved – that you would like to include.

1. Optional Letters of Support

Get letters of recommendation, if possible. Even if your application has already been mailed, you can still send letters of recommendation or character references. Place a note with your letters indicating your name and when your application was submitted.

Again, letters of recommendation or character reference are OPTIONAL. You can submit your application without them. However, favorable letters may make a difference at the time your application is reviewed. Please see the “Sample Request for Letter of Support/Character Reference” below for more information on what the letter might include.

Be aware that in the course of investigating your application, the Florida Parole Commission may contact the person(s) who wrote letters for you.

You should submit the letters of recommendation as soon as possible!

- _____ Letter(s) from present and/or former employer(s).
- _____ Letter(s) from church or religious affiliation(s).
- _____ Letters from representatives of social organizations in which you participate, such as the Jaycees, Toastmaster, Fraternal Order, etc.
- _____ Letters from community-based organizations with which you have had contact.

_____ Letter from the victim or victim's family, if applicable. While this may be difficult, if it is possible to get such a letter, it can be extremely helpful to your RCR application. (*Note: Use discretion in contacting the victim or the victim's family. Also, **under no circumstances should you contact any person if you are legally prohibited from doing so.***)

You may be able to think of other persons from whom you could request a letter of support. Don't limit yourself to the above list. However, avoid letters from your family members since they will carry less weight.

Once you have decided whom you would like to contact for a support letter or character reference:

First: **Contact** the person and talk to them about your request

Second: If possible, **meet** with the person to talk about why you seek his or her support. (This is especially important if you have not seen him or her in some time.)

Finally: Follow up with a **letter** requesting the support letter or character reference. This letter should summarize what you would like the person to include in his/her support letter. (*See the sample request letter below.*)

Sample Request for Letter of Support/Character Reference

Dear _____:

Thank you for agreeing to write a reference letter on my behalf. This letter will be presented to the Board of Executive Clemency (the Governor and the Cabinet), which is considering my application for restoration of civil rights. Please consider including the following information in your letter:

- A readable message, either neatly handwritten or typed
- The date the letter is written
- How long you have known me
- In what capacity you have known me (co-worker, employer, pastor, friend, etc.)
- What you know about my moral character. This includes respect for the law, non-violence, honesty, use of drugs, etc.
- What you know about my conviction(s), and how this impacts on your views
- Why you think my application should be granted
- A phone number or address where you can be contacted if they need more information (optional)
- Your signature

Please write your letter as soon as possible, but no later than _____.
Thank you for your support.

Sincerely yours,

(applicant)

2. Personal Communication:

_____ A personal letter to the Executive Clemency Board expressing your remorse and desire to be restored as a full member of society. Please see below for a list of members to whom you'll be writing.

_____ The letter should include a brief statement about your present status in society. Do not place emphasis on employment as one of the reasons you are applying for RCR.

3. Awards, Commendations, Recognition

_____ Include copies of any awards, commendations or certificates you received in recognition of your contributions to your community

4. Complete Restoration of Civil Rights Portfolio

Your complete package should include:

- Cover letter to Clemency Board Coordinator
- Personal Communication
- Copies of awards/certificates
- Letters of Support in the order of importance

5. Mailing:

_____ Mail one set of documents:

- Include the **original of each letter**
- Include a **copy of any awards/certificates**.
- For RCR no certified documents are required
- REMEMBER: keep a copy each document at home for your records

_____ Have the set of documents neatly bound. Add tabs if possible.

_____ Mail the entire package to the Office of Executive Clemency at the following address:

**Office of Executive Clemency
4070 Esplanade Way
Tallahassee, FL 32399-2450**

STEP 3: Following Up on Your Portfolio Once It Has Been Submitted

Congratulations on submitting your personal portfolio! You must now follow up on your mailing in order to make sure it reaches the right people. Do not wait to do this. However, do bear in mind that the RCR process from start to finish may take as long as 1 year to 2 years to be completed. The following checklist will help you make sure to take the proper steps to maximize your portfolio's impact.

_____ **1. Once your package has been mailed, wait 2 weeks, and then call the Office of Executive Clemency to verify receipt of your package.**

- Call the Office of Executive Clemency **toll free** at: **1-800-435-8286**.
- If your case results in a restoration of rights without a hearing, your process is complete. You need only wait for a certificate of restoration to be mailed to you.
- If your case requires a hearing, you can expect to receive notice from the Parole Commission informing you of an investigation that will likely be conducted by a local Parole Examiner.
- Once the interviewing Parole Examiner completes the investigation of your case, a report will then be forwarded to the Parole Commission in Tallahassee, as well as to the Board of Executive Clemency. A notice of a hearing date will be sent to you if it is determined that your case requires a hearing by the Board of Executive Clemency.

_____ **2. Write or call the Clemency Board Aides to verify receipt of your support portfolio.**

If you must have a hearing, the aides will most likely make a recommendation to the Clemency Board as to whether or not your rights should be restored. This recommendation may be the first thing the Clemency Board members consider at the hearing, so it's best to contact the aides now. Contact information for the Clemency Aides appears on the next page.

BOARD OF EXECUTIVE CLEMENCY

Clemency Board Member	Cabinet Affairs	Cabinet Affairs Telephone Number
Honorable Charlie Crist, Governor Office of Governor The Capitol 400 S. Monroe St. Room 209 Tallahassee, Florida 32399-0001 (850) 488-4441	Office of Cabinet Affairs: Mr. Drew Atkinson Drew.Atkinson@myflorida.com & Ms. Blair Keels Blair.Keels@myflorida.com	(850) 488-3494
Honorable Bill McCollum, Attorney General The Capitol PL-01 Tallahassee, Florida 32399-1050 (850) 414-3300	Office of Cabinet Affairs: Mr. Rob Johnson Rob.johnson@myfloridalegal.com	(850) 414-3300
Honorable Alex Sink, Chief Financial Officer Department of Financial Services The Capitol 200 East Gaines St. Tallahassee, Florida 32399-0309 850-413-2850	Office of Cabinet Affairs: Mr. Robert Tornillo Robert.Tornillo@myfloridacfo.com	(850) 413-2824 or (850)413-2820
Honorable Charles H. Bronson, Commissioner of Agriculture Department of Agriculture and Consumer Services The Capitol Tallahassee, Florida 32399-0800 (850) 488-3022	Office of Cabinet Affairs: Ms. Cathy Giordano Giordac@doacs.state.fl.us	(850) 410-6747

PREPARING FOR YOUR HEARING

THE INFORMATION BELOW IS FOR THOSE APPLICANTS WHOSE CASES WILL BE HEARD BY THE BOARD OF EXECUTIVE CLEMENCY:

IF YOU ARE IN LEVEL 3: Your application will be scheduled for a hearing by the Board of Executive Clemency.

IF YOU ARE IN LEVEL 2: Your civil rights may be restored without a hearing. If your rights are not restored without a hearing, you will be notified so your case can be set for a hearing.

IF YOU ARE IN LEVEL 1: Your case will **not** require a hearing.

Applicants are not required to appear at the hearing when their application is considered, but the Clemency Board encourages applicants to attend.

- 1. Before the Hearing.** After applicants submit the initial application, the Parole Commission conducts an investigation into the applicant/application and presents a report and recommendation to the Board of Executive Clemency. The recommendations are based on the Parole Commission's investigation and observation made by the Clemency aides. ***These recommendations are not binding or otherwise definite until reviewed and collectively decided upon by Clemency Board members.***
- 2. Agenda for the Hearing.** You should be mailed a copy of the agenda of the hearing when your case will be heard at least 10 days before the scheduled meeting. The agenda includes the following breakdown of the types of cases that will be heard: Commutation of Sentence; Pardon; Authority to Own, Posses or Use Firearms; Restoration of Civil Rights Without Specific Authority to Own, Possess or Use Firearms; Restoration of Alien Status; and Continued Cases and Cases Under Advisement. Each of the case categories contains two sections: 'Favorable Recommendations' and 'Unfavorable Recommendations'.
- 3. Notify the Office of Executive Clemency if You Intend to Speak at the Hearing.** The applicant or any other person intending to speak on behalf of the applicant must notify the Office of Executive Clemency at least 10 days prior to the scheduled meeting of the Clemency Board.
- 4. At the Hearing.**
 - The Governor will open the proceedings by calling the meeting to order. A chaplain then conducts an invocation, followed by remarks by the Governor, thanking the applicants, their families, and character witnesses for traveling to Tallahassee for the hearing. The Governor may give a brief explanation of the clemency process and the types of clemency that can be granted. ***Note: Members from the Office of Executive Clemency and members of the Parole Commission will be present during Clemency Hearings. (Please review the list above to familiarize yourself with the Clemency Board Members and their respective Aides)***

- Any person making an oral presentation to the Clemency Board will be allowed no more than five minutes. All persons making oral presentations in favor of an application shall be allowed cumulatively no more than 10 minutes. All persons making oral presentations against an application, including victims, shall be allowed cumulatively no more than 10 minutes.
- The vote of the Governor and at least two Cabinet Members is required to approve the requested form of clemency.

Do's and Don'ts at the Clemency Hearing

- 1. DO Dress Professionally.** When appearing before the Clemency Board it is highly suggested that you dress for success in a business-like manner; no flamboyant colors or name brand, fad clothing. Male applicants should wear a suit if possible. However, a shirt, tie, slacks, and an appropriate blazer (if available), are fine. Female applicants should wear a dress, business suit, or skirt/slacks and jacket (if available) with an appropriate top. You want to convey to the Clemency Board members how important restoration of your rights is to you. Your clothing and your appearance are the first things they will notice. The Clemency Board members will likely form opinions about you – and make assumptions about your character and demeanor – based on your attire.
- 2. DO Arrive at the Hearing on Time.** It is important to arrive on time to a scheduled hearing. All applicants are encouraged to arrive at the Clemency Board hearing at least one (1) hour before the start of the hearing. A late arrival could diminish the possibility of a favorable outcome or the Governor and/or Cabinet Member could outright deny your application. Be on time and expect the best outcome. Keep a positive mental attitude about the whole event. ***Don't forget to have your Personal Support Portfolio with you when you arrive at the hearing.***
- 3. DO Prepare your Remarks in Advance.** If you intend to personally speak before the Clemency Board it is highly suggested that you prepare an outline of the thoughts and sentiments you wish to convey to the Clemency Board Members. Review everything in your portfolio and make sure your remarks are consistent with the information in your portfolio. Remember to keep your presentation short and straight to the point. Above all, make your presentation **coherent, intelligent and emotionally stimulating**. Tell your story so as to describe yourself in the best light by emphasizing where you have been and where you would like to go in life as a member of this society.
- 4. DO Accept Responsibility for your Past Mistakes.** A key point to express is remorse and a genuine concern for the victim (if there was one) of your crime(s). Accept responsibility for your past action or inaction (***acknowledge the acceptance of guilt for your crime; don't project being in a state of denial***), and make it clear that you are now a changed person who is trying to make a positive difference in life.
- 5. DO Pay Attention to the Cases on the Agenda Before Yours.** You can get an idea of the issues that concern the Governor and other Clemency Board members by the type of questions they ask. Therefore, it's important to take note of the type and pattern of questions that they ask.
- 6. DO Express Concern for the Victim.** If possible and if applicable, you may want to contact the victim(s) of your crime to ask them how they feel about your request to restore your rights and become a productive member of society. If the victim expresses that they think you deserve a second chance, you may request that they write a statement expressing their position to the Clemency Board. Whatever you do, do not aggravate or otherwise incite the victim's anger. If they say no – that they do not want to address this issue – leave them alone. ***If you are legally prohibited from contacting the victim, do not do so.*** Remember that the victim will be given an opportunity to speak for or against you during the Clemency Hearing. Therefore, it is imperative that you make a genuine attempt to nurture a positive interaction *with the victim of your crime. Victims can help or hurt the outcome of your application.*

Don'ts

1. **DON'T Debate.** The Governor will be asking most of the questions during the hearing. You must be able to respond to the questions with brief, but definite, answers. Don't attempt to engage the Governor or Clemency Board Members in a debate. Answer the question, and move on to the next issue.
2. **DON'T Vent your Frustration.** Do not vent or express frustrations with the clemency process or with life in general. Keep things in perspective with regard to not being able to fully participate and enjoy the rights and benefits of your citizenship.
3. **DON'T Focus on Past Problems.** Do not discuss problems you've had in the past with finding or maintaining a job due to past felony conviction(s), unless your request for restoration of civil rights is in part specifically due to the need to procure a particular state occupational license for which restoration of civil rights is necessary. Focus on the positive fact that you would like to be able to find better job opportunities once your rights are restored.
4. **DON'T Exceed your Time Limits.** Do not go beyond the time allotted for you to speak. Allow enough time for the Clemency Board members to ask questions; this will give you an opportunity to address any concerns they may have.

CLOSING THOUGHTS ON THE RCR PROCESS

Congratulations on going the extra mile to make sure that your RCR application is the best it can be! Applying for RCR and/or other forms of clemency can be a real “close encounter” – with your community contacts, with yourself, and maybe even with the Governor. As you go through this process, and as you begin new endeavors in your life, keep in mind these final “Do’s”:

1. Maintain your sense of hope and unbending motivation. Motivation is the *fire that makes you GO!*
2. Develop a realistic plan with achievable goals that will encourage you to stay motivated.
3. Expand your academic endeavors and job skills.
4. Seek opportunities. Develop a plan to achieve your maximum potential as a productive person.
5. Seek the support you need from loved ones and community resources (emotional, social, etc.).
6. For more information, feel free to contact the Florida Rights Restoration Coalition:
 - **Call:** 877-U-COUNT -2 / 877-826-8682 / 786-363-2731
 - **Email:** yrp@acluf.org
 - **Or visit:** www.restorerights.org

You can do it!