

FL Turn Blue

News & Views

Steven Blumrosen | June 11, 2019

Restoration of Felons' Voting Rights in Florida

In 2018, Florida voters voted for the 4th proposal to amend the Florida Constitution: The Voting Restoration Amendment (commonly called "Amendment 4").

The Ballot Summary of Amendment 4 that appeared on the petition and ballot read:

<p>"This amendment restores the voting rights of Floridians with felony convictions after they complete all terms of their sentence including parole or probation. The amendment would not apply to those convicted of murder or sexual offenses, who would continue to be permanently barred from voting unless the Governor and Cabinet vote to restore their voting rights on a case by case basis."</p>	<table><tr><th colspan="2">Readability Statistics</th></tr><tr><td colspan="2">Counts</td></tr><tr><td>Words</td><td>62</td></tr><tr><td>Characters</td><td>325</td></tr><tr><td>Paragraphs</td><td>1</td></tr><tr><td>Sentences</td><td>2</td></tr><tr><td colspan="2">Averages</td></tr><tr><td>Sentences per Paragraph</td><td>2.0</td></tr><tr><td>Words per Sentence</td><td>31.0</td></tr><tr><td>Characters per Word</td><td>5.1</td></tr><tr><td colspan="2">Readability</td></tr><tr><td>Flesch Reading Ease</td><td>33.4</td></tr><tr><td>Flesch-Kincaid Grade Level</td><td>16.2</td></tr><tr><td>Passive Sentences</td><td>50.0%</td></tr></table>	Readability Statistics		Counts		Words	62	Characters	325	Paragraphs	1	Sentences	2	Averages		Sentences per Paragraph	2.0	Words per Sentence	31.0	Characters per Word	5.1	Readability		Flesch Reading Ease	33.4	Flesch-Kincaid Grade Level	16.2	Passive Sentences	50.0%
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The Full Text of Amendment 4 that also appeared on the petition, but not the ballot, read:

<p>Article VI, Section 4. Disqualifications. —</p> <p>(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.</p> <p>(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights.</p> <p>(b c) No person may appear on the ballot for re-election to any of the following offices:</p> <ol style="list-style-type: none">(1) Florida representative,(2) Florida senator,(3) Florida Lieutenant governor,(4) any office of the Florida cabinet,(5) U.S. Representative from Florida, or(6) U.S. Senator from Florida <p>if, by the end of the current term of office, the person will have served (or, but for resignation, would have served) in that office for eight consecutive years.</p>	<table><tr><th colspan="2">Readability Statistics</th></tr><tr><td colspan="2">Counts</td></tr><tr><td>Words</td><td>173</td></tr><tr><td>Characters</td><td>891</td></tr><tr><td>Paragraphs</td><td>11</td></tr><tr><td>Sentences</td><td>6</td></tr><tr><td colspan="2">Averages</td></tr><tr><td>Sentences per Paragraph</td><td>1.5</td></tr><tr><td>Words per Sentence</td><td>21.3</td></tr><tr><td>Characters per Word</td><td>4.9</td></tr><tr><td colspan="2">Readability</td></tr><tr><td>Flesch Reading Ease</td><td>38.4</td></tr><tr><td>Flesch-Kincaid Grade Level</td><td>13.1</td></tr><tr><td>Passive Sentences</td><td>16.6%</td></tr></table>	Readability Statistics		Counts		Words	173	Characters	891	Paragraphs	11	Sentences	6	Averages		Sentences per Paragraph	1.5	Words per Sentence	21.3	Characters per Word	4.9	Readability		Flesch Reading Ease	38.4	Flesch-Kincaid Grade Level	13.1	Passive Sentences	16.6%
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[Oddly, in order to read the “Summary” that appeared on the ballot, a voter needed to have gone to graduate school. To read the “Full Text” that did not appear on the ballot, a voter pretty much needed a GED or high school diploma. See the process Amendment 4 took to get on the ballot in the attached Appendix 4: How the Idea of Restoring Felons Right to Vote became a Ballot Initiative.)

Initially, Headlines were Jubilant!

“Florida just gave felons their right to vote back,” **CNN Politics** 11/7/2018 ¹

“‘Our Voice Will Count.’ Former Felon Praises Florida Passing Amendment 4, Which Will Restore Voting Rights to 1.4 Million People,” **Time**, 11/7/2018. ²

“1.4 Million Floridians With Felonies Win Long-Denied Right to Vote,” **The NY Times**, 11/7/2018. ³

“Florida votes to restore ex-felon voting rights with Amendment 4: The victory means more than 1 million people will regain the right to vote,” **Vox (not Fox)**, 11/7/2018. ⁴

Almost Immediately Headlines Reflected Attempts at Confusion and Delay by Republicans in Control of the State

“Amendment 4 Passed. Will It Actually Get Implemented?” **WLRN, Miami | South Florida**, 11/8/2018. ⁵

“Florida votes to restore ex-felon voting rights with Amendment 4: There are fears that Republican state officials could drag their feet in implementing a voter-mandated overhaul of the constitution that might hurt GOP candidates. And it’s unclear how much the amendment’s passage will sway Florida’s razor-thin elections,” **Tampa Bay Times**, 11/8/2018 ⁶

“Elections Supervisors Seek Answers On Amendment 4,” **CBS Miami**, 12/4/2018. ⁷ Even SOEs were confused!

Critics angry after Ron DeSantis asks Florida lawmakers to review Amendment 4 implementation,” **Tallahassee Democrat**, 12/14/2018. ⁸

“Delays impede the start date of Amendment 4,” **WINK News**, 12/18/2018 (includes video interview of Lance Wissinger). ⁹

“Amendment 4 in Florida Yields Voting Rights and Confusion: Former prisoners won’t automatically get their voting rights under Florida’s new legislation, experts say,” **US News and World Report**, 4/11/2019.

¹⁰

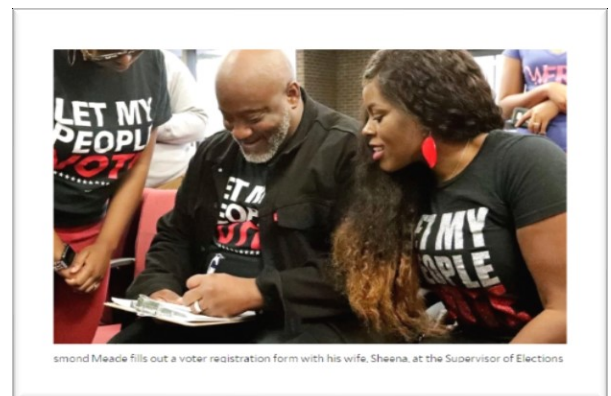
More detail and overview

- Florida Association of Counties (FAC): <https://www.fl-counties.com/amendment-4>, accessed 6/12/2019.
- Ballotpedia: [https://ballotpedia.org/Florida_Amendment_4_Voting_Rights_Restoration_for_Felons_Initiative_\(2018\)](https://ballotpedia.org/Florida_Amendment_4_Voting_Rights_Restoration_for_Felons_Initiative_(2018)), accessed 6/12/2019.
- Florida Phoenix: <https://www.floridaphoenix.com/2018/09/24/a-closer-look-at-florida-constitutional-amendment-4/>, accessed 6/12/2019.
- Democracy Now! Amy Goodman interview of Desmond Meade, with his personal story: https://www.democracynow.org/2018/11/6/floridas_amendment_4_would_restoring_voting, accessed 6/12/2019. (Third person present was Howard Simon, former Executive Director of ACLU of Florida.)
- League of Women Voters, Summary for Voters: https://www.floridaleagueofcities.com/docs/default-source/advocacy/summary-of-2018-constitutional-amendments.pdf?sfvrsn=5979d9d5_0, accessed 6/12/2019.
- Wikipedia (not authoritative, but a good place to start, currently with plenty of footnotes): https://en.wikipedia.org/wiki/2018_Florida_Amendment_4, accessed 6/12/2019.
- Time (History of Felony Disenfranchisement, going back to ancient Greece and Rome, and including the 1830s in the US): <https://time.com/5448284/ex-felon-voting-rights-amendment-4-history-disenfranchisement/>, accessed 6/12/2019.
- National Election Defense Coalition: <https://www.electiondefense.org/felon-voting-rights-restoration>, accessed 6/12/2019.

Many SOEs did not wait

Many SOEs accepted voter registration forms from felons when their doors opened January 8, 2019.

“‘This Is What Democracy Is All About’: Florida Ex-Felons Can Finally Register to Vote: It could lead to the largest expansion of new voters since the Voting Rights Act,”
Mother Jones, 1/8/2019,
<https://www.motherjones.com/politics/2019/01/florida-voting-rights-ex-felons-register-amendment-four-voting-rights-act/>, accessed 6/12/2019.



“Florida Felons Once Denied Rights Begin Registering to Vote,” **The NY Times**, 1/8/2019, <https://www.nytimes.com/2019/01/08/us/florida-felons-voting-rights.html>, accessed 6/12/2019.

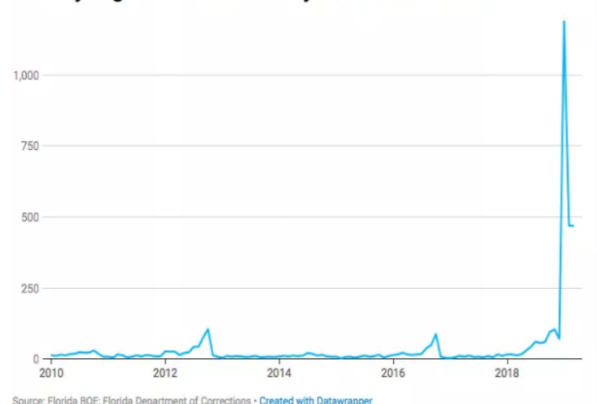
“Most ex-felons can register to vote Tuesday if all terms of their sentence are met,” **Miami Herald**, 1/4/2019, <https://www.miamiherald.com/news/politics-government/state-politics/article223934775.html>, accessed 6/12/2019.

Former Florida inmates can now vote starting today thanks to Amendment 4: Before the most recent election, ex-cons could not vote after paying their debt to society, but that's now changed for one in four Black Floridians, **The Grio**, 1/8/2019, <https://thegrio.com/2019/01/08/amendment-4-florida-ex-felons/>, accessed 6/12/2019.

“FL Legislature’s changes to felon voting rights affect black voters the most, report says,” Florida Phoenix: Quality Journalism for Critical Times, 5/14/2019: <https://www.floridaphoenix.com/blog/fl-legislatures-changes-to-felon-voting-rights-affects-black-voters-the-most-report-says/>, accessed 6/12/2019.

“An analysis from the [Brennan Center for Justice](#) published last week says that there has been a dramatic increase in felons registering to vote since Amendment 4 went into effect Jan. 8.”

Monthly Registrations of Formerly Incarcerated Floridians



FRRC is driven to register felons to vote BEFORE July 1, 2019

Desmond Meade’s organization, FRCC (Florida Rights Restoration Coalition) is represented in Lee County by Neil Volz. Neil is a white, maybe middle-age, Republican who spends his time and extreme-energy registering felons to vote. He says it is necessary to register as many as possible, for their own protection.

“CS/SB 7066 — Election Administration” is the mundane name for the Bill the Legislature sent to the Governor. There is an official summary at: <https://www.flsenate.gov/Committees/billsummaries/2019/html/2038>.

The legislative history - the history of the bill, related bills, text of the bill (drafts and final), amendments, analyses, vote history, and citations – is found on <https://www.flsenate.gov/Session/Bill/2019/7066/>.

According to the summary, the bill contains a “safe harbor” provision that protects felons who register to vote after January 7 and before July 1. It “Grants registrants immunity from prosecution for submitting false voter registration information regarding their eligibility following a felony conviction on

registration applications submitted from January 8, 2019 (effective date of Amendment 4) until before July 1, 2019 (effective date of the bill)."

Calls to Action

It is a good idea to register to vote as soon as possible. So, whether the Governor signs the bill or not, it is a good idea to help citizens with felonies register to vote this month.

The FRRC website is: <https://floridarrc.com/>.

The FRRC Phone Number is: 407-901-3749

The FRRC Email Address is: info@floridarrc.org

They would like to hear from you!

Votes have consequences. We have heard that about the votes we cast for elected officials. And, we need to remember that between now and Nov. 3, 2020 (510 days).

Same is true when an elected official casts their vote for or against a bill, or doesn't cast their vote for or against a bill.

The following Appendices 1 and 2 show which legislators voted for or against CS/SB 7066, or did not vote.

Appendix 3 is a graphic from the Florida Senate that shows how an idea becomes a law. This is from <https://www.flsenate.gov/PublishedContent/ADMINISTRATIVEPUBLICATIONS/idea-to-law.pdf>.

Appendix 1: House Vote

Sequence: 372
Session Day: 60
Calendar Page:

The Florida House of Representatives
2019 Regular Session
CS/SB 7066, 1st Eng.
Senate Message
Passage

Date: 05/03/2019
Time: 03:54 PM

Yeas - 67

Nays - 42

Not Voting - 11

Presiding - La Rosa

N Alexander-8	N Good-72	N Polsky-81
Y Aloupis-115	N Gottlieb-98	Y Ponder-4
Y Altman-52	Y Grall-54	N Pritchett-102
Y Andrade-2	Y Grant, J.-64	Y Raschein-120
N Antone-46	Y Grant, M.-75	Y Renner-24
N Ausley-9	Gregory-73	Y Roach-79
Y Avila-111	N Grieco-113	Y Robinson-71
Y Bell-56	Hage-33	Y Rodrigues, R.-76
Y Beltran-57	N Hart-61	Y Rodriguez, A.-118
Y Brannan-10	N Hattersley-59	Y Rodriguez, A.M.-105
N Brown-45	Y Hill-1	Y Rommel-106
Y Buchanan-74	N Hogan Johnson-84	Roth-85
Y Burton-40	Y Ingoglia-35	Y Sabatini-32
N Bush-109	Jacobs-96	Y Santiago-27
Y Byrd-11	N Jacquet-88	N Silvers-87
Y Caruso-89	N Jenne-99	Y Sirois-51
N Casello-90	N Jones-101	Slosberg-91
Y Clemons-21	N Joseph-108	N Smith, C.-49
N Cortes-43	Y Killebrew-41	Y Smith, D.-28
Y Cummings-18	Y La Rosa-42	Y Sprowls-65
Daniels-14	Y LaMarca-93	N Stark-104
N Davis-13	Y Latvala-67	Y Stevenson-17
N Diamond-68	Y Leek-25	Y Stone-22
Y DiCeglie-66	Magar-82	Y Sullivan-31
Y Donalds-80	Y Mariano-36	N Thompson-44
Y Drake-5	Y Massullo-34	Y Toledo-60
N Driskell-63	Y McClain-23	Y Tomkow-39
N DuBose-94	Y McClure-58	Y Trumbull-6
Y Duggan-15	N McGhee-117	VACANT-7
N Duran-112	N Mercado-48	VACANT-97
Y Eagle-77	N Newton-70	VACANT-38
N Eskamani-47	Y Oliva-110	N Valdes-62
N Fernandez-114	N Omphroy-95	N Watson, B.-107
Y Fernandez-Barquin-119	Y Overdorf-83	Watson, C.-20
Y Fetterhoff-26	Y Payne-19	N Webb-69
Y Fine-53	Y Perez-116	N Willhite-86
Y Fischer-16	Y Pigman-55	N Williams-92
Y Fitzenhagen-78	Y Plakon-29	Y Williamson-3
N Geller-100	Y Plasencia-50	Y Yarborough-12
N Goff-Marcoil-30	N Polo-103	Y Zika-37

Y=Yea

N=Nay

EX=Excused

AV=Abstain

Appendix 2: Senate Vote

Sequence: 31
Session Day: 59
Calendar Page:

The Florida Senate 2019 Regular Session

Date: 05/02/2019
Time: 07:21 PM

CS/SB 7066

Yeas - 22

Nays - 17

Not Voting - 1

Presiding - President Galvano

Y Albritton-26	Flores-39	N Rader-29
Y Baxley-12	Y Gainer-2	N Rodriguez-37
Y Bean-4	N Gibson-6	N Rouson-19
Y Benacquisto-27	Y Gruters-23	Y Simmons-9
N Berman-31	Y Harrell-25	Y Simpson-10
N Book-32	Y Hooper-16	Y Stargel-22
N Bracy-11	Y Hutson-7	N Stewart-13
Y Bradley-5	Y Lee-20	N Taddeo-40
Y Brandes-24	Y Mayfield-17	N Thurston-33
N Braynon-35	N Montford-3	N Torres-15
Y Broxson-1	Y Passidomo-28	Y Wright-14
N Cruz-18	Y Perry-8	Y President Galvano-21
Y Diaz-36	N Pizzo-38	
N Farmer-34	N Powell-30	

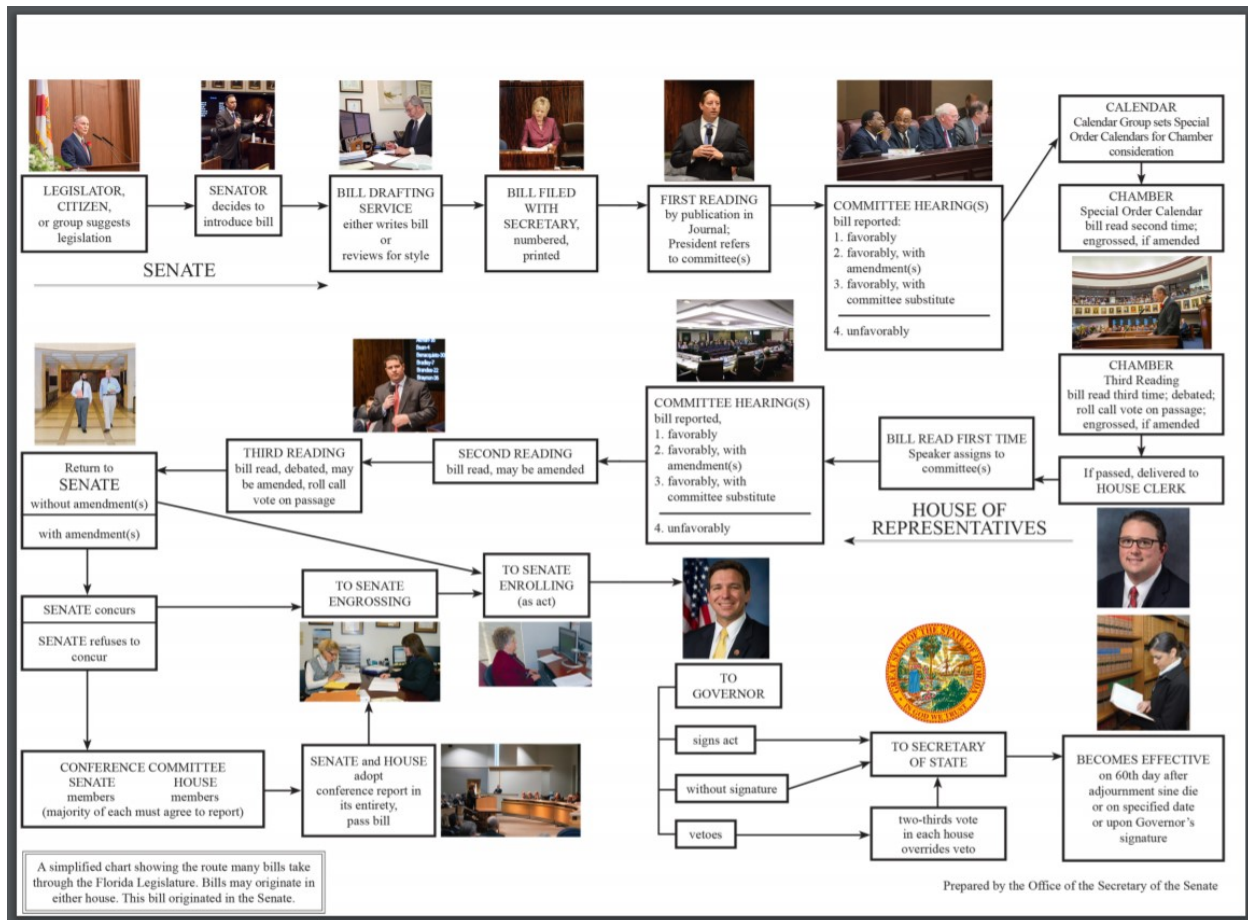
Y=Yea

N=Nay

EX=Excused

AV=Abstain

Appendix 3: Senate View of How an Idea becomes Law



Appendix 4: How the Idea of Restoring Felons Right to Vote became a Ballot Initiative

Initiative Information



Voting Restoration Amendment 14-01

Reference:
Article VI, Section 4

Summary:
[View Full Text \(pdf\)](#)

This amendment restores the voting rights of Floridians with felony convictions after they complete all terms of their sentence including parole or probation. The amendment would not apply to those convicted of murder or sexual offenses, who would continue to be permanently barred from voting unless the Governor and Cabinet vote to restore their voting rights on a case by case basis.

Related Links:
[Financial Impact](#)
[Financial Information](#)
[Additional Information](#)

Sponsor:
[Floridians for a Fair Democracy, Inc.](#) **Contact:** Desmond Meade, Chairperson
Post Office Box 15485 450 Godwin Street
Washington, DC 20003- Oviedo, FL 32765-0000
(727) 726-8617

Signatures:

Statewide total needed for judicial and financial impact review:	76,632
Statewide total needed to make ballot position:	766,200
Signatures expired prior to ballot position (Signatures expire after two years, but will not expire once ballot position is made):	47,327
Statewide total currently valid:	842,796*
Congressional district totals needed for judicial and economic reviews and ballot placement, with currently valid signatures:	View by District by County

***Statewide and congressional district totals for ballot position are NOT OFFICIAL until an initiative petition is certified to have made ballot. Once an initiative petition is certified for ballot position, total currently valid may exceed the official totals at time of certification. For status on ballot position, see Status Table below.**

Two signature thresholds must first be met for ballot position: 1) statewide total [8 percent of the votes cast in the last presidential election], and 2) Congressional District signature totals in at least 14 of Florida's 27 Congressional Districts [8 percent of the votes cast in each Congressional District in the last presidential election]. See section 3, Article XI, Fla. Const., section 100.371, Fla. Stat.

A Congressional District may consist of one or more counties and a county may be part of more than one congressional district. To find out the signature threshold required in each Congressional District for review and ballot position, the current number of verified signatures in each Congressional District by county, and how many Congressional Districts may have met or exceeded signature thresholds, click the link above titled "View by District by County".

Status: Passed

Approval Date:	10/31/2014
Undue Burden:	07/02/2015
Made Review:	09/14/2016
Attorney General:	09/15/2016
Sent to Supreme Court:	10/04/2016
Supreme Court Ruling:	Constitutional
SC Ruling Date:	04/20/2017
Financial Impact Statement Date:	10/28/2016
SC Approval of Financial Impact Statement:	04/20/2017
Made Ballot:	01/23/2018
Ballot Number:	4
Election Date:	11/06/2018
Votes For:	5,148,926
Votes Against:	2,828,339

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=64388&seqnum=1>

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1. CNN Politics, <https://edition.cnn.com/videos/politics/2018/11/07/florida-amendment-4-election-zw-orig.cnn>, accessed 6/12/2019.
 2. Time, <https://time.com/5447051/florida-amendment-4-felon-voting/>, accessed 6/12/2019.
While you are there, you may get to see – as I did - Time’s video clip of Jon Stewart testifying before mostly empty seats of Congress with a full room of 9/11 First Responders. It is also at <https://time.com/5605021/john-stewart-september-11-victims-fund-congress/>.
 3. The NY Times, <https://www.nytimes.com/2018/11/07/us/florida-felon-voting-rights.html>, accessed 6/12/2019.
 4. Vox, <https://www.vox.com/policy-and-politics/2018/11/6/18052374/florida-amendment-4-felon-voting-rights-results>, accessed 6/12/2019.
 5. WLRN: <https://www.wlrn.org/post/amendment-4-passed-will-it-actually-get-implemented>, accessed 6/12/2019.
 6. Tampa Bay Times, <https://www.tampabay.com/florida-politics/buzz/2018/11/08/amendment-4-in-florida-passed-whats-next-for-convicted-felons-and-their-voting-rights/>, accessed 6/12/2019.
 7. CBS Miami, <https://miami.cbslocal.com/2018/12/04/elections-supervisors-seek-answers-on-amendment-4/>, accessed 6/12/2019.
 8. Tallahassee Democrat, <https://www.tallahassee.com/story/news/2018/12/14/ron-desantis-wants-lawmakers-have-look-amendment-4/2314818002/>, accessed 6/12/2019.
 9. Wink News, <https://www.winknews.com/2018/12/10/delays-may-impede-the-start-date-of-amendment-4/>, accessed 6/12/2019.
 10. US News & World Reports, <https://www.usnews.com/news/best-states/articles/2019-04-11/amendment-4-in-florida-restores-voting-rights-and-confusion>, accessed 6/12/2019.