



LAW ENFORCEMENT LEADERS

To Reduce Crime & Incarceration

Hon. Jose R. Oliva
420 The Capitol
402 South Monroe Street
Tallahassee, FL 32399

Hon. Bill Galvano
409, The Capitol
404 S. Monroe Street
Tallahassee, FL 32399

Hon. Dane Eagle
322 The Capitol
402 South Monroe Street
Tallahassee, FL 32399

Hon. Kathleen Passidomo
330 Senate Building
404 South Monroe Street
Tallahassee, FL 32399

Hon. Kionne L. McGhee
316 The Capitol
402 South Monroe Street
Tallahassee, FL 32399

Hon. Audrey Gibson
200 Senate Building
404 South Monroe Street
Tallahassee, FL 32399

April 23, 2019

RE: Law Enforcement Concerns regarding Amendment 4 Clarification

Dear Speaker Oliva, Majority Leader Eagle, Democratic Leader McGhee, President Galvano, Majority Leader Passidomo, and Minority Leader Gibson:

I write to you today as Executive Director of Law Enforcement Leaders to Reduce Crime & Incarceration, a national coalition of approximately 200 current and former law enforcement officials from all 50 states, across the political spectrum. On behalf of Law Enforcement Leaders, I urge you not to make completed payment of restitution, fines, and fees a condition for the restoration of Florida citizens' constitutional right to vote.

The passage of Amendment 4 was groundbreaking on many levels. It received overwhelming support from your constituents, and signaled to other states, such as Iowa and Kentucky, that they, too, should reconsider disenfranchisement of those with felony convictions. However, the Florida House and Senate Judiciary Committees recently introduced legislation entitled Voting Rights Restoration, also known as HB 7089 and SB 7086. In an attempt to revise and provide clarity, these bills create additional limitations on restored voting rights.

The two bills aim to define felony offense terminologies and "term of sentence," but certain restrictions are considerably unnecessary and could impact hundreds of thousands of Floridians

while adding no public safety value. For example, HB 7089 would require payment of all debt, which includes fees, fines, and restitution, prior to being eligible to register to vote, even after a court has determined the monetary obligations be converted from criminal penalties to civil liens. Our law enforcement leaders think the judiciary should determine which fines, fees, and restitution are part of a criminal sentence. When judges convert the financial obligations of a sentence to a civil judgment, they are exercising their discretion in carrying out the rule of law and the legislature should not infringe upon these judicial duties. SB 7086 requires payment of all debt as well, but it exempts fees and fines if they have been converted to a civil judgement. Pursuant to SB 7086, restitution would still need to be paid.

These two bills would effectively disenfranchise thousands of nonviolent offenders with financial obligations that they will never be able to pay due to poverty and those with too large of financial obligations – usually from nonviolent property crimes – that they will never be able to pay off in their lifetime.

To be sure, it is important that defendants reimburse those they harmed through victim restitution as well as pay certain fines to the courts. The requirement for people to pay all their obligations should not be eased. However, these bills treat the ongoing civil obligation as part of the criminal sentence. Especially in cases of those who have committed nonviolent crimes, we believe ongoing civil obligations should not be considered as part of the criminal sentence and those with only legal obligations left to pay should be able to vote. Moreover, from a public safety perspective, restoring voting rights does not increase crime, but conditioning voting rights on financial obligations of those trying to re-enter society simply further criminalizes poverty, an issue that contributes to the revolving door of recidivism.

The 5.1 million citizens of Florida spoke last November. Community stakeholders have expressed their concerns about this restriction, and now we, law enforcement leaders, are sharing our perspective on this critical issue concerning what we view as smart justice.

Respectfully yours,



Ronal W. Serpas
Executive Director
Law Enforcement Leaders to Reduce Crime & Incarceration
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Loyola University New Orleans
Former Superintendent of Police
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