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Backlog of Florida Clemency Cases Grows | Miami Herald

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TALLAHASSEE — Desmond Meade served time for cocaine possession and aggravated battery, but turned his life around and overcame the drug and alcohol addictions that forced him to live on the streets of Miami.

Seven years after walking out of state prison, Meade, 44, is in law school and helps run a halfway house for addicts. But what he wants most he can't get: full citizenship and the right to vote.

Meade is one of 89,833 people waiting to have their civil rights restored by Gov. Rick Scott and three statewide elected Cabinet members.

He's in for a long wait.

Under new rules Scott and the Cabinet adopted in March, Meade must now wait seven years for a clemency hearing. A huge backlog of pending cases means it likely will take much longer for felons to regain the right to vote, serve on a jury or run for office.

"I find it disheartening," said Meade, who as a second year of law school at Florida International University, could select a jury before he's allowed to serve on one. "A person such as myself, who has rehabilitated his life, for them to tell me that in spite of all of the accomplishments I've made that I'm not eligible to get my rights restored, is wrong. I find it un-American."

Led by Scott and Attorney General Pam Bondi, officials scrapped a streamlined clemency process begun by former Gov. Charlie Crist that they felt was too easy for ex-offenders.

The new system, in effect since March, requires ex-felons to be crime-free for at least five years before their clemency petitions can be considered.

Certain classes of violent felons, like Meade, must wait seven years.

But a new report by the Florida Parole Commission shows that a released felon in Florida whose civil rights are restored is much less likely to commit a new crime than others in the overall prison population.

The report was quietly delivered to officials a few weeks ago and has not been discussed publicly.

The agency studied 31,000 cases over a two-year period in 2009 and 2010 and found that about 11 percent of people whose civil rights were restored ended up back in custody.

The overall re-offense rate in the state is three times higher — 33 percent — according to the Department of Corrections.

“This report shows clemency is working very well, as 89 percent of convicted felons granted a second chance have not re-offended,” said Reggie Garcia, a Tallahassee lawyer who has helped ex-felons navigate the complicated clemency process for the past 17 years.

“This shows that the more you integrate people back into society, the more you’re going to reduce crime, save money and make the state safer,” said Howard Simon of the American Civil Liberties Union, which strongly protested the new waiting periods for clemency hearings.

Bondi said the report shows that making it harder for ex-felons to regain their civil rights was the correct decision.

“The reason the change was made to the rules was to ensure that felons first prove their rehabilitation through the test of time before having their civil rights restored,” Bondi said.

Scott reiterated his view that no ex-convicts should automatically be given their rights back.

“I think we ought to have a process where people apply,” Scott said. “That was the biggest thing from my standpoint.”

Johnnie Lee Robinson, 65, of Tampa, served time for strong-arm robbery. He left prison in 1998 and has never been back.

This June, he discovered that his civil rights were revoked 13 years after he was set free.

“It’s not right,” Robinson said. “I haven’t had any infractions in 16 years. I paid my dues.”

Even worse for Meade, Robinson and other ex-offenders is that a series of budget cuts has reduced the pace of clemency case reviews to a slow trickle.

The same Parole Commission report shows that the number of cases reviewed fell dramatically over the past two years, from about 25,000 cases in 2009 to fewer than 6,000 cases last year.

Parole Commission spokeswoman Jane Tillman cited "the lack of adequate resources (staff and funding) needed to process the pending caseload" as a factor in the steep decline in case reviews.

"When they get hit with budget cuts and have to make staffing decisions, processing those cases is not a priority," said Mark Schlakman, a lawyer who closely follows the clemency process.

In his spare time, Meade helps other ex-felons regain their civil rights through a group called the Florida Rights Restoration Coalition. The coalition will hold a three-day conference in Orlando later this month to discuss clemency strategies.

One bright spot to be discussed is passage of a new state law that removes restoration of civil rights as a condition for ex-felons receiving one of dozens of state occupational licenses.

Advocates say the change will help ex-offenders find jobs, a crucial step in being able to re-enter society.

"You should never give up hope on people who make mistakes," said Meade, who served three years at a prison in rural Calhoun County. "I use my past as testimony now, instead of a crutch."