

# Should Felons Have to Pay Fees to Restore Their Voting Rights?

As of 2018, over 1.6 million Florida citizens were permanently disenfranchised from voting because of being former felons: [10.4% of otherwise eligible voters](#). Supported by 64% of Florida voters, Amendment 4 restored the right of all Florida's former felons to vote (except those convicted of murder or felony sexual offenses) after completing parole and probation.



Now, the Florida House and Senate are considering bills that would force former felons to pay court fees and other costs associated with their convictions before they regain the right to vote, including fees imposed after their sentencing and fines that may take years to pay off. Controversy over the legislation focuses on a disagreement over what "complete a sentence" means, leaving former felons potentially liable for thousands of dollars before they're able to vote.

## Arguments Against Including Fees

Opponents of this legislation argue that these costs are not part of the original sentence, and many former felons are financially unable to make these payments. The New York Times and others have called this proposed required payment a "poll tax." The Florida [ACLU wrote](#) that "SB 7086 raises serious constitutional concerns, is overly broad, and will thwart the will of the people... [expanding] what was contemplated by completion of one's sentence to include civil liens and monetary obligations unrelated to one's sentence." Desmond Meade and Neil Volz, who ran the rights restoration campaign, [decry legislative attempts to block the amendment's effects](#), saying it would be better "to simply follow the Constitution, let the departments who administer elections do their job, let the courts interpret the language."

## To Get Involved

For background see [this recent Miami Herald piece](#) and this [WLRN](#) story. To read the bills, see the House's [HB 7089](#) and the Senate's [SPB 7086](#). To weigh in, pro or con, contact [your state Senators and Representatives](#) or [Governor DeSantis](#).

## Arguments For Including Fees

Supporters of this legislation say completion of a sentence must include payment of any monetary obligation. [Governor Ron DeSantis](#) believes the legislature is just spelling out how the amendment should be implemented. Representative James Grant, Criminal Justice committee chairman, said that it was "arrogance" to suggest that this legislation constitutes a "poll tax." [In Grant's words](#), "All we're doing is following the testimony that was presented before the Florida Supreme Court explicitly acknowledging that fines and court costs are part of a sentence." State Senator [Jeff Brandes echoed this perspective](#), saying that Amendment 4 needed to be "further refined and honed," asking, "Do they believe people paying restitution is a poll tax?"



## Key Original Arguments for Amendment

- Restoring voting rights to former felons is a matter of basic fairness and offers a second chance. "[These men and women have paid their debt to society. And once that debt has been fully paid, we don't have a moral right to add to it.](#)" Restoring their rights gives "[an opportunity for redemption and a chance to be full members of their community.](#)"
- Half of Florida's felony convictions result in no prison time and include crimes that are misdemeanors elsewhere, like driving with a suspended license or trespassing on a construction site.
- Former felons who can fully participate in our democracy are less likely to reoffend, two thirds less likely in a study by [Florida's Department of Parole](#).

- 21% of Florida’s African Americans are disenfranchised, [four times the rate of other Floridians](#). This has its roots in [post-Civil War racial segregation laws](#) and, [significantly](#), in the impact of War on Drugs on low-level drug users.
- The Amendment would merely bring Florida’s laws in line [with other states](#), while remaining more restrictive

- than many. Maine, Vermont, and [countries like Canada and Germany](#) both let felons vote from jail, and actively encourage this to give them a stake in their society.
- Fundamental voting rights should not depend on what kind of lawyer you can afford, or which elected official is in office.

## Key Original Arguments Opposing

- Restoring voting rights to Florida’s 1.7 million former felons [is not about justice, but rather about altering Florida’s electorate for partisan purposes](#). It’s estimated that the amendment would increase the size of the electorate by almost 10% if all former felons registered to vote, and that increase could decide future elections.
- The amendment would allow former felons to [“vote for soft-on-crime legislators and prosecutors as they commit new offenses,”](#) therefore potentially determining Florida’s policies on “policing, drugs, mandatory minimums, three-strike laws, crime-victims’ rights and other vital components of our justice system.” Felons shouldn’t have the right to help create more permissive laws.
- The amendment does not address the high recidivism rate of Florida’s former felons.
- A Federal Appeals Court found [that Florida’s current felon disenfranchisement laws violate neither the voting rights act, nor the “equal protection” clause of the 14th Amendment](#).
- “Second chances” is misleading because it makes no distinction made between first-time offenders and repeat offenders, creating an unfair opportunity for career criminals to have multiple second chances.
- The Amendment fails to distinguish between violent and nonviolent offenders or the seriousness of the crimes.
- The Amendment fails to consider post-release conduct.

## Possible Questions for Classroom Discussions or Forums

- When should people convicted of a crime be able to participate fully in our democracy, having paid their debt to society?
- How do other states and countries handle restoration of rights to felons, including voting rights? What can Florida learn from them?
- What is the historical origin of Florida’s felon disenfranchisement law?
- Do you believe potential loss of voting rights deters people from criminal activity?
- Do you believe the current approach has a racially disproportionate impact? If so, what would you consider the prime roots of this impact and solutions to address it?
- Do you know any convicted felons who have been disenfranchised by this law? What are their perspectives? You could also talk with police or correctional officers, with crime victims, and with relatives, employers, or neighbors of former felons.



## Additional Resources for Learning and Discussion

- *Orlando Sentinel*: [It’s past time to restore ex-felons’ rights](#) and [Felon rights? Don’t let lawbreakers elect soft-on-crime lawmakers](#)
- *ProCon.org*: [Top 10 Pro & Con Arguments](#)
- *Sun-Sentinel*: [Amendment could restore rights for ex-felons in Florida](#)
- *Miami Herald*: [Florida leads nation in disenfranchising former felons](#)
- *The Sentencing Project*: [6 Million Lost Voters: State Level Estimates of Felony Disenfranchisement, 2016](#)

If you’d like to hold a structured nonpartisan conversation on whether felons should vote, [Living Room Conversations](#) has created a [useful guide](#).