

Florida Amendment 4, Voting Rights Restoration for Felons Initiative (2018)

Florida Amendment 4, the **Voting Rights Restoration for Felons Initiative**, is on the [ballot](#) in [Florida](#) as an [initiated constitutional amendment](#) on [November 6, 2018](#).^[1]

A **"yes"** vote supports this amendment to automatically restore the right to vote for people with prior felony convictions, except those convicted of murder or a felony sexual offense, upon completion of their sentences, including prison, parole, and probation.

A **"no"** vote opposes this amendment to automatically restore the right to vote for people with prior felony convictions, except those convicted of murder or a felony sexual offense, upon completion of their sentences, including prison, parole, and probation.

In Florida, a constitutional amendment requires a 60 percent vote of voters to be approved.

Overview

[What would Florida Amendment 4 change about voting rights of convicted felons?](#)

Amendment 4 was designed to automatically restore the right to vote for people with prior felony convictions, except those convicted of murder or a felony sexual offense, upon completion of their sentences, including prison, parole, and probation.^[1] As of 2018, people with prior felonies never regain the right to vote in Florida, until and unless a [state board](#) restores an individual's voting rights. Under former Florida Governor [Charlie Crist](#), who was elected as a Republican, changed his affiliation to unaffiliated toward the end of his term in office, and registered as a Democrat after his time as governor, the Executive Clemency Board automatically restored the rights of felons who had completed their sentences, paid restitution, and had no pending criminal charges. Current governor [Rick Scott](#) (R) eliminated those reforms made by the Crist administration.^[2] Under Scott's administration, convicted felons must wait five or seven years, depending on the type of offense, after the completion of their sentences to request that the board consider the restoration of their voting and other civil rights.^{[3][4]}

[How does the number of disenfranchised voters in Florida compare to margins of victory in notable Florida elections?](#)

A [report](#) from The Sentencing Project, estimated that, as of 2016, around 6.1 million people, or about 2.5 percent of the U.S. voting age population, were disenfranchised due to a felony conviction. Florida was estimated to have 1,686,318 persons—10.43 percent of the voting age population—disenfranchised due to felonies. A state-by-state comparison of disenfranchised voting populations can be found [here](#). The margin-of-victory (MOV) in the 2010 and 2014 gubernatorial elections was 1.2 percent and 1.0 percent, respectively. For presidential elections, the MOV was 0.9 percent 2012 and 1.2 percent in 2016. More information on the MOV of past elections can be found [here](#).

[What is the current felon voting law in Florida?](#)

As of 2018, Florida is [one of four states](#) where convicted felons do not regain the right to vote, until and unless a state officer or board restores an individual's voting rights. This felon voting law was part of the original Florida Constitution of 1968—the state constitution active in 2018—as well as the state constitutions of 1885 and 1868. On February 1, 2018, [U.S. District Court Judge Mark Walker](#) ruled Florida's [process](#) for the restoration of voting abilities for felons unconstitutional, saying it violated the First Amendment and the Fourteenth Amendment.^[5] Gov. Scott announced that he would appeal the

ruling to [U.S. Court of Appeals for the Eleventh Circuit](#). The Eleventh Circuit concurred with Gov. Scott's request, staying the lower court's ruling.^[6]

[What is felong voting policy in other states?](#)

As of 2018, Florida is one of four states—the three others are Iowa, Kentucky, and Virginia—where convicted felons do not regain the right to vote, until and unless a state officer or board restores an individual's voting rights. If Amendment 4 passes, Florida would become like 19 other states which restore the right to vote after prison time, parole, and probation are completed.

[Who is behind the campaigns for and against Amendment 4?](#)

[How current is this campaign finance information?](#)

One committee, Floridians for a Fair Democracy, was registered in support of the measure. The committee had raised \$6.15 million and expended \$5.8 million. The top contributor, as of July 18, 2018, to the support campaign was the American Civil Liberties Union (ACLU), which contributed \$1.72 million. There were no committees registered in opposition to the initiative, although a non-profit, Floridians For A Sensible Voting Rights Policy, opposed the initiative and, according to its website could register as a committee.^[7]

[What other election-related issues are on the ballot in 2018](#)

Ten other states have ballot measures related to election policy on the ballot in 2018. Five of the measures concern [redistricting](#), and, like Florida's Amendment 4, three other measures concern the topic of [voting laws](#) such as voter ID and voter registration.

Text of measure

Ballot title

The ballot title is as follows:^[8]

“ Voting Restoration Amendment^[9] ”

Ballot summary

The ballot summary is as follows:^[8]

“ 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.^[9] ”

Constitutional changes

See also: [Article VI, Florida Constitution](#)

The measure would amend [Section 4 of Article VI](#) of the [Florida Constitution](#).

Support

Floridians for a Fair Democracy is leading the campaign in support of the initiative.^{[1][10]} Desmond Meade, chair of the campaign committee, is also president of the Florida Rights Restoration Coalition.^[11]

Supporters

Officials

- [U.S. Rep. Charlie Crist](#) (D-13)^[12]
- Former [U.S. Rep. Gwen Graham](#) (D-2), gubernatorial candidate^[13]
- Tallahassee [Mayor Andrew Gillum](#) (D), gubernatorial candidate^[13]
- Miami Beach [Mayor Philip Levine](#) (D), gubernatorial candidate^[13]
- [Christopher King](#) (D), businessman and gubernatorial candidate^[13]

Organizations

- Florida Rights Restoration Coalition^[14]
- [American Civil Liberties Union](#)^[15]
- [Our Revolution](#)^[16]
- [New Approach PAC](#)^[17]
- Reentry Alliance Pensacola^[18]

Arguments

Floridians for a Fair Democracy, the committee sponsoring the initiative, stated:^[10]

“ Americans believe in second chances. We need to make sure that Florida Law does too. Nearly 1.5 million people in Florida are permanently excluded from voting because of a prior felony conviction. Florida is one of only four states that still has a system that excludes so many people from voting. These are our family members, friends, and neighbors who have already repaid their debts to society. Now is the time to restore the ability to vote to Floridians who have earned the opportunity to participate in and give back to their communities.^[9] ”

Opposition

Floridians For A Sensible Voting Rights Policy is organized as a [501\(c\)\(4\) nonprofit](#) to advocate for and against voting policies related to the group's mission and oppose the ballot initiative.^{[19][20]} According to the group's website, Floridians For A Sensible Voting Rights Policy could register as a ballot initiative political committee at a later date.^[21] Richard Harrison, an attorney, is the group's executive director.^[22]

Opponents

Officials

- Agriculture Commissioner [Adam Putnam](#) (R), gubernatorial candidate^[13]

- [Rep. Richard Corcoran \(R-37\)](#)^[13]

Arguments

Richard Harrison, executive director of Floridians For A Sensible Voting Rights Policy, said:^[23]

“ Other than murder and sexual felonies, it [the initiative] treats all other felonies as though they were the same. It's a blanket, automatic restoration of voting rights. If it gets on the ballot, your only choice will be an all or nothing, yes or no vote on the amendment. If it passes, neither you nor anyone else will ever be allowed to consider the specifics of the crime or the post-release history of the criminal before that new voter registration card is issued.^[9] ”

Campaign finance

See also: [Campaign finance requirements for Florida ballot measures](#)

The campaign finance information on this page is according to the [most recent scheduled reports](#), which covered through July 13, 2018. The [deadline](#) for the next scheduled reports is July 27, 2018.

Total campaign contributions:	
Support:	\$6,356,915.21
Opposition:	\$0.00

There was one ballot measure committee, Floridians for a Fair Democracy, registered in support of the measure. The committee had raised \$6.36 million and spent \$6.00 million.^[7]

The top contributor to the support campaign was the [American Civil Liberties Union\(ACLU\)](#), which contributed \$1.98 million.^[7]

There were no committees registered in opposition to the initiative. If you know of a committee in opposition to Amendment 4, email editor@ballotpedia.org.^[7]

Support

Supporting committees	Committees in support of Amendment 4			Totals in support	
	Cash contributions	In-kind services	Cash expenditures	Total raised:	
Floridians for a Fair Democracy	\$5,508,357.45	\$848,557.76	\$5,152,750.01	Total spent:	\$6,001,307.77
Total	\$5,508,357.45	\$848,557.76	\$5,152,750.01		

Donors

The following were the donors who had contributed more than \$100,000 to the support committee:^[7]

Donor	Cash	In-kind	Total
American Civil Liberties Union	\$1,628,316.00	\$351,894.95	\$1,980,210.95
Laurie Michaels	\$800,000.00	\$0.00	\$800,000.00
Daniel Lewis	\$500,000.00	\$0.00	\$500,000.00
The Advocacy Fund	\$375,000.00	\$0.00	\$375,000.00
Civic Participation Action Fund	\$300,000.00	\$0.00	\$300,000.00
New Approach PAC	\$200,000.00	\$0.00	\$200,000.00
The Sixteen Thirty Fund	\$200,000.00	\$0.00	\$200,000.00
Cale Bonderman	\$200,000.00	\$0.00	\$200,000.00
Zoe Bonderman	\$200,000.00	\$0.00	\$200,000.00
Organize Florida	\$120,000.00	\$0.00	\$120,000.00
Gamechanger	\$119,000.00	\$0.00	\$119,000.00

Opposition

Floridians For A Sensible Voting Rights Policy is organized as a 501(c)(4) nonprofit to advocate for and against voting policies related to the group's mission and oppose the ballot initiative. According to the group's website, Floridians For A Sensible Voting Rights Policy could register as a ballot initiative political committee at a later date. If you know of a committee in opposition to Amendment 4, email editor@ballotpedia.org.^[24]

Methodology

Ballotpedia calculates campaign finance based on the political committees registered to support or oppose a measure and independent expenditures, when relevant and available. When a committee is registered to support or oppose multiple measures it is impossible to distinguish between funds used for one measure and funds used for the other.

In calculating campaign finance for supporting and opposing committees, Ballotpedia does not count donations or expenditures from one [ballot measure committee](#) to another since that would amount to counting the same money twice. This method is used to give the most accurate information concerning how much funding was actually provided to and spent by the opposing and supporting campaigns.

Ballotpedia subtracts out committee-to-committee contributions—both cash donations and in-kind contributions. Because of this, it is possible for certain committees to have negative contributions. Negative contributions mean that a committee has provided more contributions to other committees than it has received. If expenditures exceed contributions, it means the committee has accrued unpaid bills, has unpaid or unforgiven loans, or has contributed a certain amount of in-kind services to another committee.

Ballotpedia provides information about all reported in-kind donations. In-kind contributions are also counted toward total expenditures since, with in-kind gifts, the contribution and services or goods are provided simultaneously. Ballotpedia does this to provide the most accurate information about the cash-on-hand of supporting and opposing campaigns.

Polls

See also: [2018 ballot measure polls](#)

The following poll was conducted by the University of North Florida's Public Opinion Research Lab from January 29, 2018, to February 4, 2018, to gauge voter support and opposition toward the amendment.

[hide]Florida Amendment 4 (2018)						
Poll	Support	Oppose	Undecided	Margin of error	Sample size	
Public Opinion Research Lab at University of North Florida 1/29/2018 - 2/4/2018	71.0%	22.0%	6.0%	+/-3.9	619	
<p>Note: A "0%" finding means the candidate was not a part of the poll. The polls above may not reflect all polls that have been conducted in this race. Those displayed are a random sampling chosen by Ballotpedia staff. If you would like to nominate another poll for inclusion in the table, send an email to editor@ballotpedia.org.</p>						

The following poll was conducted by Cherry Communications and commissioned by the Florida Chamber of Commerce to gauge voter support and opposition toward the amendments on [Florida's 2018 ballot](#). A total of 605 likely voters were polled, including 237 Republicans, 249 Democrats, and 119 others.^[25]

[hide]Support and Opposition for Amendment 4						
Poll	Support	Oppose	Undecided	Margin of error	Sample size	
Florida Chamber of Commerce Poll 5/25/18 - 6/2/18	40%	17%	43%	+/-4.0	605	
<p>Note: A "0%" finding means the candidate was not a part of the poll. The polls above may not reflect all polls that have been conducted in this race. Those displayed are a random sampling chosen by Ballotpedia staff. If you would like to nominate another poll for inclusion in the table, send an email to editor@ballotpedia.org.</p>						

Media editorials

Support

- **Florida Today** said: "We expect convicted felons to fulfill their sentences, pay their dues to society and live law-abiding lives. Yet, we deprive them of a fundamental right in reintegrating them into society: voting."^[26]
- **The New York Times** said: "One hundred and fifty years after Florida enshrined this awful law, there's only one clear way to get rid of it. Legal challenges have fallen short, the governor is no friend to voting rights, and lawmakers have limited power when it

comes to constitutional amendments. It's time for Florida's voters to step up and restore the most fundamental constitutional right to more than a million of their neighbors."^[27]

- ***The Washington Post*** said: "Permanent disenfranchisement is a retrograde, racist and anti-American project. Here's hoping Floridians heave it onto the scrap heap of history."^[28]

Opposition

As of July 21, 2018, Ballotpedia had not identified any media editorial boards in opposition to the ballot initiative. If you are aware of an editorial, please send an e-mail with a link to editor@ballotpedia.org.
