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**State attorney starts
possible statewide program
*8th Judicial Circuit works
with supervisors of elections
to help qualified felons to vote***



Levy County Supervisor of Elections Tammy Jones (left), Eighth Judicial Circuit State Attorney Brian S. Kramer and Alachua County Supervisor of Elections Kim A. Barton are seen moments before the start of the press conference Tuesday afternoon (May 17). This program will allow State Attorney Kramer to provide a convicted felon with an opinion as to whether he or she is qualified to register to vote. The supervisors of elections are the final deciders as to who is qualified to vote within any of the 67 counties. However, the six supervisors of elections in this circuit now have a resource to help them in making that determination, and convicted felons residing in this judicial circuit also can use this free resource rather than hiring an attorney to assist them in finding facts in relation to the relevant laws.

Story and Photos

By Jeff M. Hardison © May 18, 2022 at 10:12 a.m.

GAINESVILLE – Eighth Judicial Circuit State Attorney Brian S. Kramer started a program Tuesday (May 18) in a cooperative effort with all six supervisors of elections in this judicial circuit of Florida to help felons who have paid their debt to society to have the opportunity to vote.

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Graphic Created By Eighth Judicial Circuit State Attorney's Office



Eighth Judicial Circuit State Attorney Brian S. Kramer introduces Levy County Supervisor of Elections Tammy Jones (left) and Alachua County Supervisor of Elections Kim A. Barton.

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State Attorney Brian Kramer listens to a question posed by a member of the press.



Eighth Judicial Circuit State Attorney's Office Chief Investigator and Public Information Officer Darry D. Lloyd and Eighth Judicial Circuit State Eighth Judicial Circuit Chief Assistant State Attorney Heather Jones stand as some of the staff members who were in the conference room during the press conference on Tuesday. State Attorney Brian Kramer spoke highly of Chief Assistant State Attorney Jones, Chief Investigator Lloyd and all 45 attorneys and 100 support staff in his office. While these two staff members were captured on film, the handful of other employees in the conference room scurried away when asked for a photo opportunity.

During a press conference Tuesday afternoon (May 17), State Attorney Kramer shared

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with members of the press from a couple of local TV stations, the daily *Gainesville Sun* and the daily news website *HardisonInk.com* why this program came into existence, and how it is anticipated to work.

One member of the clergy was present for the conference. Pastor Ron Rawls of the Greater Bethel AME Church of Gainesville learned that he, too, should send interested parishioners or others to the supervisors of elections' websites, or to the Eighth Judicial Circuit State Attorney's Office's website to find the form and procedure to use this resource.

All six supervisors of elections in the Eighth Judicial Circuit -- Alachua County Supervisor of Elections Kim A. Barton, Baker County Supervisor of Elections Christopher Milton, Bradford County Supervisor of Elections Amanda Seyfang, Gilchrist County Supervisor of Elections Connie Sanchez, Levy County Supervisor of Elections Tammy Jones and Union County Supervisor of Elections Deborah K. Osborne have joined forces with Kramer to provide this Voter Education Program, Kramer said.

In Florida, each of the 67 counties has a supervisor of elections. Another political subdivision in Florida is judicial circuits. Florida has 20 judicial circuits with an elected state attorney as the prosecutor of people suspected of criminal offenses and an elected public defender as the person who defends people suspected of crimes, and who cannot afford an attorney to present their defense.

To print the form to complete click [HERE](#). This process is simple.

To find answers to frequently asked questions about the program, click [HERE](#).

Voters Restore Rights

In 2018, nearly 65 percent of Florida voters approved Amendment 4, which automatically restored voting rights to as many as 1.4 million Floridians, except those convicted of murder or a felony sexual offense, who had completed the terms of their sentence, including parole or probation.

On June 28, 2019, Gov. Ron DeSantis signed Senate Bill 7066, prohibiting those felons who had served their terms from voting unless they pay off all legal financial obligations (LFOs) imposed by a court pursuant to a felony conviction, including LFOs converted to civil obligations, even if they cannot afford to pay.

The Brennan Center and other civil rights groups filed a lawsuit in federal court challenging the law created by the Florida Legislature and signed by DeSantis, which preempted the voters' choice to restore the right to vote to most felons who had served their time.

That suit was consolidated with similar cases filed by others. An expert report submitted to the court showed this law created after the people voted to restore those rights would create requirements to prevent at least 770,000 people from voting — and it would hit Black Floridians the hardest.

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On May 24, 2020, the federal court issued a ruling finding Florida's "pay-to-vote" system unconstitutional in part.

Since that 2020 decision, there has been more wrangling in the courts regarding the state of Florida's "pay-to-vote" system.

V 8th Program

State Attorney Kramer, with help from the six supervisors of elections in this judicial circuit, created a clearinghouse of sorts within his office to assist convicted felons so those felons seeking to restore their right to vote can feel comfort in knowing they are qualified to vote, and to know they will not be prosecuted in the Eighth Judicial Circuit for various crimes related to voting if they register.

Kramer made it clear that the federal government and other state attorneys are not bound by the opinions he will provide to felons who go through the program he started, in regard to the prosecution of persons suspected of a crime related to voting.

There are three possible opinions which will be given to the possible voter who uses this program – "You Are Eligible To Register To Vote" or "You Are Not Eligible To Register To Vote" or "We're Not Certain Whether You Are Eligible To Vote." For the people who see the uncertain response, they will want to seek other help to make that determination.

State Attorney Kramer named the program V 8th, which is short for Vote in the Eighth (Judicial Circuit). Of course, V8 is a vegetable drink. There is Spicy V8 enjoyed by at least one journalist residing in this judicial circuit, and other variations of that drink are available, too.

"As State Attorney for the Eighth Judicial Circuit, I swore an oath to support, protect, and defend both the *United States Constitution* and the *Constitution of the State of Florida*," Kramer noted in part of the press release provided during the press conference. "Traditionally, the state attorney, as the chief law enforcement officer of the circuit, meets the requirements of this oath by lawfully and ethically prosecuting those charged with crimes. However, the state attorney serves other critical functions as well.

"Among these many functions, for instance, the state attorney serves an integral role in the sealing and expunction of criminal records by verifying a former defendant's eligibility to have his or her record sealed or expunged," he continued. "There are other examples, but suffice it to say that prosecution is just one of many roles that the state attorney serves in the name of supporting, protecting, and defending the Constitution."

As noted, on Tuesday, Kramer started the new program to help previously convicted felons, except those convicted of murder or a sexual offense, who have completed all of the terms of their sentences, to be able to vote.

Kramer, on Tuesday, said litigation is now settled about the "pay to vote" issue, and, as state attorney, he is bound to enforce the law as it is interpreted by the courts.

The Florida Supreme Court ruled that the phrase "all terms of sentence," as used in Article VI, Section 4 of the Constitution of the State of Florida, has an "ordinary meaning that the voters would have understood to refer not only to durational periods but also to all legal financial obligations imposed in conjunction with an adjudication of guilt."

In other words, Kramer said, to be qualified to vote again, a convicted felon must have satisfied all financial obligations from the case including court costs, fines, and restitution.

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With this decision, Kramer said, it created a significant conundrum for many people who had been convicted of a felony and want to vote.

“This uncertainty creates a Hobbesian choice for these individuals,” Kramer noted.

A person who thinks they are eligible to register to vote may continue to be disenfranchised or vote and potentially commit a new felony offense if they do not take care to be certain they have met all obligations imposed on them when they were convicted of a felony in Florida.

The “V 8th program” serves the dual function of effectuating Amendment 4 and enhancing election security.

“We will accomplish this by offering my opinion on whether an individual has completed all the terms of his or her sentence,” Kramer said. “I must be clear that it is not the role of the state attorney to make this determination. However, enforcing the law of the state of Florida, and preventing potential criminal actions are squarely within the purview of the State Attorney.

“Ultimately, it is the duty of the supervisor of elections to determine who may or may not vote. When a citizen disagrees with the supervisor’s decision, that citizen would have to go to the courts to address this decision,” he continued. “I, however, am free to offer my opinion on this issue, and if I determine that a former felon is eligible to vote, I am within my duties as State Attorney to assure that person that exercising that right will not result in criminal prosecution.”

Kramer repeated that it is the supervisor of elections who determines a person’s right to vote. His opinion, though, will carry weight with these six supervisors in their respective counties and he believes they will trust his decision.

This state attorney said his office has 45 lawyers and 100 support staff to deal with all of the criminal prosecutions and certain other matters in these six counties.

Can They Do It?

When asked if the team of professionals in the Eighth Judicial Circuit State Attorney’s Office can manage the new job of ascertaining the eligibility of convicted felons who want to vote, Kramer said “My staff is incredible!”

He went on to share more about those individuals in his office.

“They do incredible work,” Kramer said. “They are amazing people who are dedicated to the job they do. And, I fully believe, they will meet any challenge we present to them. I am very comfortable with it.

“If we are surprised,” Kramer continued, “with the amount of things we receive, we will apply more people to it.”

Having the ability to expand resources in one part of the office and contract in another part, he said, is necessary.

“The criminal justice system does not operate in a smooth and orderly fashion,” he said.

The state attorney said that his team is able to respond to a high volume of cases when it happens.

For instance, when the University of Florida students return to Gainesville after going to their homes away from college, there is a likelihood of reported burglary cases being made, he intimated, as law enforcement officers find facts and evidence to show those crimes were committed by particular suspects.

“We’re ready,” Kramer said. “We know they (more burglary cases) are coming. We

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add more people. That's how we do our business.”

How Long Does The Process Take?

State Attorney Kramer said depending on the volume of requests and the complexity of a particular felon's cases will determine how long it takes for him or her to receive the letter from his office regarding the ability to register to vote.

Some felons may have several convictions that are in other circuits of Florida or in other states, Kramer said, and it takes time to see responses from those other government entities.

He advised interested persons to start this process as soon as possible. The primary election is in August, and the deadline to register for that vote is July 25.

There is the website for frequently asked questions, listed above, that includes an answer to that question.

What About Florida's Future

State Attorney Kramer said his office will track the number of submissions from people seeking to have their right to vote restored in the Eighth Judicial Circuit. Likewise, the staff will keep a record the results.

Those results will be provided to the press and the public, and to the Florida Legislature as it may consider this program for use in other judicial circuits of the state. Likewise, county commissions, municipal councils and other interests may want to see how this method works, Kramer said.

State Attorney Kramer mentioned, however, that the Eighth Judicial Circuit is the third smallest in population. So, a larger judicial circuit may not be able to assist its supervisors of elections in the same manner or to the same degree. As for the Florida Legislature or the governor in the future helping people regain their right to vote in Florida after being convicted of a felony, only time will show how that unfolds.