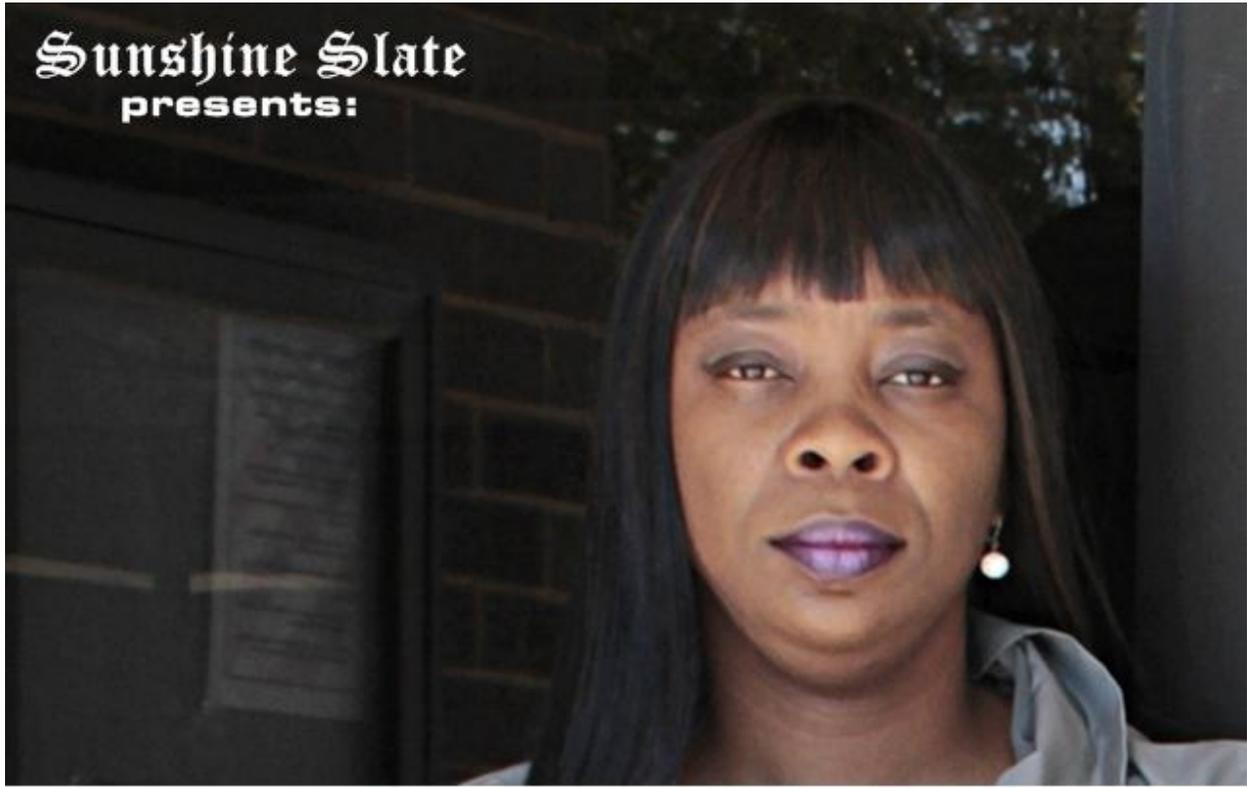


**Sunshine Slate**  
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# **VIKKI HANKINS**

**One Woman's Fight For Her Civil Rights ...**



**One Party's Quest To Keep Them From Her**  
**By Mark Christopher**

# **Vikki Hankins**

**One Woman's Fight For Her Civil Rights ... One Party's Quest To Keep Them From Her**

*A Defiant Republican Administration Plays Politics With Ex-Felons' Rights  
As The Battle For 2012 Rages On*

**By: Mark Christopher**

Cover photo by: Gian Pietri

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**V**ikki Hankins is one of the most positive, forward-thinking individuals you will ever meet. She has a great sense of humor and an unbelievable determination to succeed.

She is well spoken and full of spirit. She also has a degree and a fledgling publishing business.

All of which is quite remarkable considering what she has been through.

But there are some things that Vikki Hankins can't do. The State of Florida - under Gov. Rick Scott - won't allow it. She can't vote, sit on a jury or hold public office. She also can be denied certain state licenses.

Why? ... Because Hankins is an ex-felon, and earlier this year, Scott and the rest of the Clemency Board voted 4-0 to revise the civil rights restoration process, making it more difficult for ex-felons to get their rights back.

Now Hankins and others like her will have to wait even longer before they can once again participate fully in society.

According to the Florida Attorney General's office, "The Florida Constitution, the people's charter of government, disqualifies an individual who has been convicted of a felony from voting or holding office until his or her civil rights have been restored."

And to get those rights restored, ex-felons have to go through the Office of Executive Clemency.

"The Clemency Board will review each application individually before deciding whether to grant restoration of civil rights," so said the Executive Clemency press release, issued at the time of the changes.

Those changes threw out the modernized clemency process that former Gov. Charlie Crist pushed through four years ago. Crist, a moderate Republican, restored the voting rights of more than 150,000 former non-violent prisoners.

It was something that people of all stripes from across the state had worked long and hard to accomplish.

But Scott and his hardcore conservative GOP brethren had other plans when they came into office - to make ex-felons wait an extra five to seven years before they could even think of getting their rights back.

"But in March, after only 30 minutes of public debate, Gov. Rick Scott overturned his predecessor's decision, instantly disenfranchising 97,491 ex-felons and prohibiting another 1.1 million prisoners from being allowed to vote after serving their time," Ari Berman wrote in the Sept. 2011 edition of *Rolling Stone*.

Hankins is one of those 1.1 million. And she is not happy about it.

"I don't think it is the governor's job or ... the attorney general's job to see whether or not everyone released from prison is going to commit crimes, says Hankins. "That's what the probation officers are supposed to do."



Photos: Office of Executive Clemency

*Gov. Scott and his Cabinet voted 4-0 to make the clemency changes*

The governor and the attorney general - the two most powerful politicians in the state - disagree.

At the time of the clemency overhaul in March, Scott claimed that the changes would, "protect public safety and create incentives to avoid criminal activity."

But that statement flies in the face of felons who are out of work with limited options and a reduced amount of participation in American society. Labor officials say [the jobless rate for felons runs as high as 60%](#). If I was *trying* to push an ex-felon back into a life I crime, I would deny them their civil rights as long as possible.

Build resentment and mistrust of government. Make them feel like an outsider. We've got something you don't. Give people who've already proven to be willing to commit crimes against their fellow citizens a reason to disengage from society.

That's exactly what you don't want to do - or so says the data from Virginia, which "has achieved lower-than-average recidivism rates is difficult to pin down .... One likely factor, though, is lack of parole," according to experts interviewed by [The Washington Post](#).

And even the [Board of Executive Clemency press release](#) that announced the changes accepts the notion that restoring a prisoner's rights *is* a good thing, stating that, "The restoration of civil rights can be a significant part of the rehabilitation of criminal offenders and can assist them in reentry into society."

No matter, Attorney General Pam Bondi feels that ex-felons *must* earn their rights back.

"I believe that every convicted felon must actively apply for the restoration of his or her civil rights and that there should be a mandatory waiting period before applying," Bondi press released back in February. "The restoration of civil rights for any felon must be earned, it is not an entitlement."



Photo: Gian Pietri/Sunshine Slate Images

*Vikki Hankins would like to vote in the 2012 election*

### Civil Rights Not An Entitlement?

Sure, our state constitution spells out that they ex-felons must have their civil rights restored, but it doesn't say how long they have to wait. That is left up to whoever is in power at the time. Politicians making decisions about people's civil rights based on nothing more than a feeling. Or a talking point.

Or a political ideology. An [April 2001 Schroth and Associates Poll](#) that sampled 600 adult Floridians showed that by huge margins, that a vast majority of Republicans simply do not support restoring the voting rights of felons.

Percentages who support "restoring the voting rights of felons":

African-American community	75%
Democrats	48%

18-34 year olds	47%
Non-Cuban Hispanics	46%
Those who did not vote in the presidential election last fall	45%
Persons undecided about whether they will vote in the 2002 Florida elections	57%
Republicans	17%

But logic - and available data - would dictate that assimilating ex-felons back into society is a good thing. Don't we, as a society, *want* to welcome them back, to give them positive reinforcement and to feel part of the tribe again, so they don't turn back to crime?

The official state answer under Gov. Scott is a resounding "no." Before an ex-felon can get possibly their rights back, Florida now requires that:

Five years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions, and you must remain crime and arrest free for five years prior to being reviewed by the [Florida Parole Commission](#).

And that's just for non-violent offenders. What about ex-felons who they deem committed a "serious" crime? Those people must wait seven years.

The restoring of one's civil rights is supposed to be a routine exercise, a simple filing of paperwork. You do your time, you make it through probation, and then you get to rejoin society, which includes having your civil rights, dignity and the basis-for-respect back.

Not in Florida. The rules *are* different here (sorry to reanimate the corpse that is Florida's famed - and much-maligned - tourism slogan from the mid-'80s). The state's citizens now have less options for voting, less access to polls and outright disenfranchisement from a 100% Republican-controlled state government.

Now, ex-felons are a political football for the Republicans in charge to toss around, and Gov. Scott is the star quarterback who threw a touchdown when he changed the rules to the ultra-conservatives' satisfaction.

But not everyone was high-fiving or dunking coolers of Gatorade on Scott's head. His decision and that fateful 4-0 vote caused an uproar throughout the state and across the country, not surprising as polls indicate that the citizens don't agree with Scott's position.



*Video still frame of "The Rules Are Different Here" ad campaign TV spot*

Groups who monitor civil rights were outraged. Challenges were launched on a variety of fronts, including through talking-head media appearances, press releases, and in the courts.

In April, the American Civil Liberties Union (ACLU) sent a [letter](#) to the U.S. Department of Justice asking them to review the decision claiming that it is a violation of the federal Voting Rights Act prohibiting racially discriminatory voting practices.

“Given the fact that the new five year waiting requirement has a direct impact on voting, and given its adverse impact on minorities, we believe the Department of Justice should request Florida officials to submit the new rule for [review],” Laughlin McDonald, director of the Voting Rights Project of the ACLU, wrote in the letter.

“These new rules have a direct impact on who is able to vote in Florida,” McDonald said. “Given the troubling history of suppressing minority votes in Florida, it is critical that the Department of Justice review these changes to ensure that an entire segment of the population is not blocked from exercising their fundamental right to vote.”

Howard Simon, executive director of the ACLU of Florida, also chimed in, claiming that, “The changes, including the secretive and rushed process by which the rules were created, smack of raw politics and intentional, racially focused election manipulation.”

Back in March, the Board of Executive Clemency approved the changes with little debate or public comment, save for a 24-page proposal made public only minutes before the vote.

“Once a person has paid their debt, they should be quickly and fully integrated back into the community,” Danielle Prendergast of the ACLU of Florida, was quoted as saying in the media. “All the research supports this notion that fast, seamless and complete reintegration reduces crime.”

Instead, [on its website](#), the ACLU of Florida warns the state's citizens that, "Applying for restoration of your civil rights opens you to investigation by the Florida Parole Commission. You may also have to undergo a hearing."

"The process is long, and there are no guarantees that your rights will be restored."

This is progress? Scott and Bondi seem to think so.

The Florida Legislative Black Caucus was similarly displeased in a press release protesting the new policy.

“The purpose of the corrections and criminal justice systems in this State is to equip ex-offenders with the tools they need to become productive citizens,” stated State Sen. Gary Siplin (D-Orlando), Chairman of the Black Caucus. "How can they do that when they don't have a citizens' basic rights?"

A [March 4 letter](#) to the Florida Office of Executive Clemency was co-written and signed by the ACLU, the NAACP Legal Defense and Education Fund, the Sentencing Project and a professor at New York University's Brennan Center for Justice. The letter stated:

It is well documented that Florida's criminal disenfranchisement laws are a relic of a discriminatory past. Florida's disenfranchisement law was enacted after the Civil War when the Fifteenth Amendment forced the state to enfranchise African-American men.

The voting ban was an attempt to weaken political power of African-Americans, and it continues to have its intended effect today. The current law continues to exclude African-Americans from the polls at more than twice the rate of other Florida citizens.

And on March 25, the NAACP, the NAACP Legal Defense Fund and the Advancement Project [wrote](#) Bondi requesting that the Attorney General submit the new rule changes for review under Section 5 of the federal [Voting Rights Act](#).

AG Bondi declined. On April 8, she replied that “[w]e do not agree that the [Voting Rights Act] applies to these rules.”

### **Many Police Support The Governor's Stance On Disenfranchising Ex-Felons**

But there was support to be found for the changes from the cops and prosecutors who deal with criminals on a day-to-day basis: The Florida Police Chiefs Association, the Florida Sheriffs

Association and state attorneys all made it clear that they felt that ex-felons should have to wait longer to get their rights back.

“Convicted felons should be required to demonstrate why they should have their rights restored as well as document their commitment not to re-offend,” [said](#) Seminole County Sheriff Don Eslinger earlier this year.

“With so much recidivism, it’s only fair they prove they are committed to a life free of crime before their civil rights are restored,” Florida Police Chiefs Association president Peter Paulding was quoted as saying.

Something tells me he didn't look at the data. By his own words, Paulding should be against Scott's clemency changes because recent studies have found that [felons who have gotten their rights restored have a lower recidivism rate than those who have not](#).

Besides, isn't that the job of the probation officer to determine whether or not a felon is ready to play nice with society again?

"The probation officer says '[I'm] on the right track, there's no need to keep [me] on probation until the year 2013,' says Hankins. "Now, the governor is saying, 'screw that, keep Vikki Hankins in this position to see if she's gonna commit more crimes.'"

"I had the perfect structure for committing a crime , to go back [into prison] ... I'm sleeping on the floor on cement in the winter with a cold ... suicidal thoughts."

Hankins obviously bristles at the assumption.

"I don't have to prove anything to anyone," she says.

### **But There May Be Hope On The Horizon For Hankins And The Millions Like Her**

Florida Legislative Black Caucus member [State Rep. Darryl Rouson](#) (D-55) has filed a bill that would speed up the clemency for ex-felons like Hankins that have more than proven themselves to have worked their way back into society since being released.

And [The Palm Beach Post](#) reported last week that before their meeting, Gov. Scott told the Florida Legislative Black Caucus that he is open to revising the process that restores a felon's civil rights.

"We have got to figure out how to get people that have gone to prison back in society," Scott is quoted as telling the media, as reported by the *Post*. "On the other side we've got to make sure we don't do things that make it less safe than it is in our state. But absolutely, if there's more information, I'm very receptive."

When contacted by *Sunshine Slate*, the governor's office sounded a more ominous tone, a course correction of sorts.



Photo: Meredith Geddings

*Rep. Darryl Rouson (D-55) of St. Petersburg, debates in opposition to HB 1355*

"[Gov. Scott] is open to suggestions for ways to more efficiently process requests for clemency," offered deputy press secretary Jackie Schutz in an email. "Such suggestions will need to include ideas for funding any additional resources that may be required for more expeditious review."

Schutz also reminded *Sunshine Slate* that, "The Governor does not support felons automatically having their rights restored."

Bondi, also against automatic restoration, bangs the same hardline drum. Bondi's press secretary Jennifer Krell Davis told *Sunshine Slate* that, "Attorney General Bondi believes that felons must apply for the restoration of civil rights after waiting for a time long enough to demonstrate rehabilitation."

If there are changes made after Scott's meeting with members of the Black Caucus, they will not come in the form of automatic restoration, for sure. Expect some sort of middle ground to be

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