



In Florida, persons with past felony convictions lose the right to vote, serve on a jury, and hold public office. Florida is one of only three states with a constitution that permanently disfranchises people with past felony convictions.

The power to restore civil rights is vested in the sole discretion of the Governor and the Cabinet sitting as the Board of Executive Clemency. Rights are restored by an executive order signed by the Governor and two Cabinet members. In March 2011, the Board of Executive Clemency revised the Rules of Executive Clemency. Under these new rules, there are now two categories of approval with mandatory waiting periods for restoration of civil rights depending on the nature of the felony conviction.

**Category 1: Without a Hearing – 5 Year Waiting Period – “Less serious” conviction**

1. Complete your sentence, supervision and probation
2. Have no pending charges or detainers
3. Pay all court-ordered restitution
4. Complete a 5 year waiting period
5. Remain “arrest-free” and conviction-free since release, and
6. *May NOT have been convicted of any of the following crimes:*
  - murder, attempted murder, attempted felony murder, manslaughter
  - DUI manslaughter, DUI Serious Bodily Injury
  - leaving the Scene of Accident involving Injury or Death
  - sexual battery, attempted sexual battery, unlawful sexual activity with a minor, female genital mutilation
  - lewd or lascivious offense upon or in the presence of an elderly or disabled person,
  - attempted lewd or lascivious offense upon or in the presence of an elderly or disabled person
  - sexual performance by a child, attempted sexual performance by a child
  - aggravated child abuse
  - failure to register as a sexual predator or sexual offender
  - computer pornography, transmission of computer pornography, or any crime involving a minor
  - kidnapping, attempted kidnapping, false imprisonment, or luring and enticing a child
  - aggravated battery, attempted aggravated battery, felony battery, domestic battery by strangulation

- robbery, carjacking, attempted carjacking, home invasion, attempted home invasion
- poisoning of food or water
- abuse of a dead human body
- burglary of a dwelling, first degree burglary, or attempted first degree burglary
- arson, attempted arson, or conspiracy to commit arson
- aggravated assault
- aggravated stalking
- aggravated battery, battery, or aggravated assault on a law enforcement officer or other specified officer
- trafficking or conspiracy to traffic in illegal substances
- aircraft piracy
- unlawful throwing, placing, or discharging of a destructive device or bomb
- facilitating or furthering terrorism
- treason
- possession of a firearm by a convicted felon or possession of a firearm or ammunition by a violent career criminal
- bribery, misuse of public office
- Extortion by officers of the state
- misappropriations of moneys by commissioners to make sales
- any crime committed by an elected official while in office
- illegal use of explosives
- RICO
- exploitation of the elderly
- public corruption
- any felony violation of an election law
- any crime designated a “dangerous crime” under F.S. 907.041
- The person has not been declared to be one of the following:
  - a. Habitual Violent Felony Offender under F.S. 775.084(1)(b);
  - b. Three-time Violent Felony Offender under F.S. 775.084(1)(c);
  - c. Violent Career Criminal under F.S. 775.084;
  - d. Prison Releasee Reoffender under F.S. 775.082(9)(a);
  - e. Sexual Predator under F.S. 775.21;

*No hearing is required.*

**Category 2: With a Hearing – 7 Year Waiting Period – “More serious” conviction**

*You have been convicted of one of the crimes listed above. Now you must:*

1. Complete your sentence, supervision, probation
2. Have no pending charges or detainers
3. Pay all court-ordered restitution
4. Complete a 7 year waiting period
5. Remain conviction-free since release

*Your case must be heard before the Executive Board of Clemency.*

**Contact to the Board of Executive Clemency - 1-800-435-8286 - [ClemencyWeb@fpc.state.fl.us](mailto:ClemencyWeb@fpc.state.fl.us)**

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