



STATE OF FLORIDA
CHIEF FINANCIAL OFFICER
ALEX SINK

September 28, 2009

The Honorable Charlie Crist
Governor, State of Florida
The Capitol, 400 South Monroe Street
Tallahassee, Florida 32399-0001

Dear Governor Crist:

At the September 24, 2009 clemency meeting, I raised the issue of the thirteen ex-offenders that were wrongfully granted restoration of their civil rights. These cases were brought to our attention as part of the Auditor General's Operational Audit of the Parole Commission's restoration of civil rights process. As noted in the report, these ex-offenders either did not meet clemency rule eligibility requirements or were evaluated at an inappropriate eligibility level by the parole commission staff.

While I am cognizant of the hard work of the Parole Commission and the enormous amount of cases they are processing in light of budgetary restrictions, I feel we have an obligation to correct these mistakes in a timely manner that have been brought to our attention. That is why I urge you to convene a meeting of the Clemency Board during the October 13 Cabinet meeting to take up corrective proposals.

Furthermore, I would request the Chairman of the Parole Commission report at the next scheduled Clemency Board meeting on December 10 on all corrective action the Parole Commission is implementing to ensure these errors will not continue to occur.

As each office begins their review of the circumstances regarding these particular cases, I want to lay out my recommendations on how the Clemency Board should handle this matter. Given that these thirteen cases fall within four categories, I have outlined my recommendations for corrective action within each of these categories below:

Cases Involving Disqualifying Offenses (3 cases): Three of the ex-offenders had disqualifying offenses, including aggravated battery and statutory rape. I recommend that these clemency orders be immediately rescinded.

Cases Involving Active Warrants for Arrest (3 cases): Three of the ex-offenders have active warrants, which is a disqualifying factor. The warrants involved a host of offenses, including trespassing, indecent exposure, theft and petit larceny. I recommend that these clemency orders be immediately rescinded.

Cases with Outstanding Restitution (5 cases): Five of the ex-offenders owed restitution as part of their sentence. I recommend that these five ex-offenders receive a letter from the Clemency Board acknowledging the Parole Commission's mistake in granting restoration of civil rights and providing them 60 days to pay their outstanding restitution. Those that fail to pay their restitution within this 60-day window should have their clemency orders rescinded.

Cases Involving Those Currently Incarcerated (2 cases): Two of the thirteen ex-offenders are currently serving life sentences, therefore no action from the Clemency Board is necessary.

I feel it is important for the safety of our citizens and in the best interest of our state to reverse the error of giving rights to these thirteen ex-offenders who did not qualify, while at the same time recognizing the differing circumstances of these cases. I believe my recommendations allow for this, and hope that you will call a meeting of the Clemency Board on October 13 so that we are able to move these actions.

I continue to join with you in support of a second chance for those who qualify under the established rules and have paid their debt to society.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Sink". The signature is written in a cursive, flowing style.

Alex Sink

cc: The Honorable Bill McCollum, Attorney General
The Honorable Charles Bronson, Commissioner of Agriculture