

RESOLUTION NO. 2013-2199

**A RESOLUTION OF THE TOWN OF SURFSIDE,  
FLORIDA URGING AND ENCOURAGING THE  
FLORIDA LEGISLATURE TO REPEAL ALL  
LAWS WHICH DENY THE RESTORATION OF  
VOTING RIGHTS; PROVIDING FOR  
INCORPORATION OF RECITALS; PROVIDING  
FOR AN EFFECTIVE DATE.**

**WHEREAS**, on March 9, 2011, the Florida Rules of Executive Clemency were toughened, as the automatic restoration of civil rights and the ability to vote was no longer granted for any convicted criminal offense; and

**WHEREAS**, currently, all individuals convicted of any felony now need to apply for executive clemency after a five-year waiting period, and individuals convicted of certain felonies, such as murder, assault, child abuse, drug trafficking and arson are subject to a seven-year waiting period and a clemency board hearing to determine whether or not the ability to vote will be restored; and

**WHEREAS**, in 2010, an estimated 5.85 million people in the United States could not vote due to a felony conviction, an increase from the 2004 total of 5.26 million and the highest number since at least 1960; and

**WHEREAS**, as of 2010, Florida has disenfranchised 1,541,602 citizens due to a felony conviction, which amounts to the disenfranchisement of more than 10% of the state's voting age population and 23.3% of Florida's African-American voting age population, the highest in the nation; and

**WHEREAS**, in 38 states, most felons get voting rights restored automatically upon completion of his or her sentence, with some states making an exception for violent crimes; and

**WHEREAS**, once an individual has served his or her time, the scarlet letter precluding the participation in our democracy should be removed from his or her head; and

**WHEREAS**, those involved in the restoration of one's voting rights have experienced ex-felons who want to become involved in their communities, want to be able to cast their vote in an election and want to have a say in the government to make a difference in a very positive manner; and

**WHEREAS**, many believe that the only reason not to let felons vote is to stigmatize them or to continue punishing them, and if allowed to vote, they would be less likely to return to prison and more likely to become reintegrated into their communities; and

**WHEREAS**, voting is a fundamental right and a cornerstone of our democracy, yet millions of American have had their right to vote revoked for periods ranging from the time spent incarcerated to a lifetime; and

WHEREAS, the Town of Surfside believes that the automatic restoration of voting rights will give a person a meaningful way to re-enter society, allow them to participate in our democracy, and incentivize good behavior.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

**Section 1. Recitals.** The above-stated recitals are hereby adopted and confirmed.

**Section 2. Support by the Town of Surfside Town Commission.** The Town Commission hereby strongly urges the Florida State Legislature to repeal all legislation that denies the restoration of voting rights.

**Section 3. Implementation.** The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution.

**Section 4. Direction to Town Clerk.** The Town Clerk is hereby directed to transmit a copy of this Resolution to: Governor Rick Scott; all State Representatives and State Senators; Michael Sittig, Executive Director of the Florida League of Cities, Inc.; Richard Kuper, Esquire, Executive Director of the Miami-Dade County League of Cities, Inc.; and to the Presiding Officers and Council members of the municipalities in Miami-Dade County.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED on this 12 day of Nov, 2013.

Motion by <sup>Vice Mayor</sup> ~~Commissioner~~ Karukin, second by Commissioner Olchyk.

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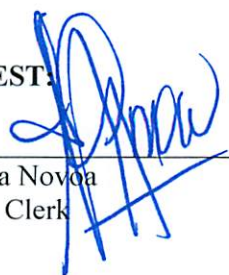
**FINAL VOTE ON ADOPTION**

Commissioner Joseph Graubart  
Commissioner Michelle Kligman  
Commissioner Marta Olchyk  
Vice Mayor Michael Karukin  
Mayor Daniel Dietch

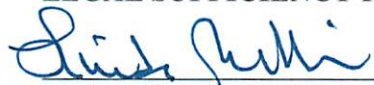
yes  
yes  
yes  
yes  
yes

  
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Daniel Dietch, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sandra Novoa  
Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**

  
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Linda Miller, Town Attorney