



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

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July 21, 2004

Ms. Janet Keels
Coordinator
Office of Executive Clemency
2601 Blair Stone Road, Bldg. C, Room 229
Tallahassee, FL 32399-2450

Dear Ms. Keels:

Upon completion of their prison sentence and termination of Florida Department of Corrections (DOC) supervision, offenders may apply for restoration of their civil rights. Section 944.293, Florida Statutes requires DOC to assist them in this endeavor by helping offenders complete and submit all required forms for clemency.

Since 2001, DOC has provided this assistance through the use of an electronic application process, negating the need for DOC to submit the paper application (formerly Form DC 4322) at the time of the offender's release. In December 2001, the Governor's Office requested that you inform DOC that the electronic application is the only form required to apply for restoration of rights, satisfying the Department's obligation under section 944.293.

Even though the Governor has directed that the electronic application is the only form required for initial application for clemency, last week the First District Court of Appeal ruled that DOC must provide assistance with a paper application (Form ADM 1501A) as well. As you know, this form is only submitted if the offender does not qualify for restoration of civil rights without a hearing. Since such notification occurs long after the offender has left DOC custody and supervision, the only way to implement the court's order is to submit Form ADM 1501A along with the electronic application upon release from DOC supervision.

The Governor's decision to eliminate the paper application process at the time of release was intended to increase efficiency by minimizing duplication and premature investigations caused by dual submissions (i.e., electronic application plus paper form). Requiring DOC to now prepare and submit a paper application (with the same information submitted electronically) before it is needed may strain personnel resources within the Office of Executive Clemency and Clemency Administration. As a result, the number of people who have their rights restored in a timely fashion may actually be reduced due to the additional processing and clemency investigations required.



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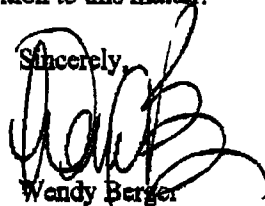
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Governor Bush and the Cabinet have worked tirelessly over the last five years to streamline the clemency process so that it is easier for felons to have their rights restored. The electronic applications have served this goal well. In light of the court's opinion, the Governor believes the process can be further streamlined by eliminating the supplemental paper application (ADM 1501A) currently required for offenders seeking restoration of their civil rights with a hearing after they have been notified of their ineligibility for restoration without a hearing.

Going forward, offenders will no longer be required to submit Form ADM 1501A to request a clemency hearing. Instead, the Governor asks that you notify the offenders who are not eligible for restoration of their rights without a hearing that their participation in the process will be required, and provide them the contact information for the Office of Executive Clemency if they wish to request a hearing. You should also inform them that their request for a clemency hearing does not have to be in writing, and may be initiated by telephone or by another other means of communication from the offender to the Office of Executive Clemency.

Thank you in advance for your attention to this matter.

Sincerely,



Wendy Berger
Assistant General Counsel