

**Here is a summary of the main elements of the federal lawsuit's 55-page order temporarily enjoining some aspects of SB 7066 (the law impacting Amendment 4).**

1. Denied motion to dismiss saying the League had standing as an institutional Plaintiff to sue on behalf of returning citizens whose right to register to vote was impacted. That affirms League ability to step in and litigate matters like this. The other institutional plaintiff with standing was the NAACP.

2. Said delay of voting was an irreparable harm (this is required to get an injunction)

3. Said that criminal financial obligations that are converted to civil liens are no longer criminal parts of the sentence. Before SB 7066 converted fines were no longer a part of the sentence.

4. Citing 11th Cir Appellate case judge said that a persons' right to re-enfranchisement could not be limited by an inability to pay. (This debunked the state's argument that re-enfranchisement has a lower standard than the right to vote because a felon committed a crime to lose the right to vote.)

This means the state must create a system where they can determine if there is an inability to pay.

5. Judge tore up the new voter registration form and said that there was no place for persons with out of state or federal convictions and that it embarrasses people. The state admitted that it was inartful and they were working on another form. The state said all could use old form! This is a HUGE win!!

6. Judge said 24th amendment prohibits not only poll taxes but all taxes impacting voting. He said that criminal financial obligations for court costs, public defender costs, and prosecution costs were monies extracted to pay government and that appears to be a tax. (This was not a holding but an important observation.)

7. He did not need to abstain from taking this case as he was reviewing SB7066 according to US Constitution and the FI Sup Ct case coming up is asking a different question: whether Amendment 4 also requires the payment of all criminal financial obligations?

8. The judge said the the system of looking up criminal records is an administrative nightmare and something the state has difficulty doing itself. The returning citizens fear of getting it wrong is chilling voter registration.

9. The judge finally ruled that the state and all state agencies are enjoined from stopping the seventeen individual plaintiffs from registering to vote and from voting.

The judge said that the legislature should fix these problems. A final hearing is set for April 2020.

Here is a link to a Washington Post article discussing the ruling.

[https://www.washingtonpost.com/politics/judge-rules-florida-cant-block-felons-from-voting-even-if-they-have-unpaid-fines/2019/10/19/81ba7452-f274-11e9-8693-f487e46784aa\\_story.html](https://www.washingtonpost.com/politics/judge-rules-florida-cant-block-felons-from-voting-even-if-they-have-unpaid-fines/2019/10/19/81ba7452-f274-11e9-8693-f487e46784aa_story.html)

***Cecile/s/***

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