

**Judge Mark Walker Steps Up to the Plate
And Knocks Rick Scott Out of the Park**

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When former felon Steven Warner appeared before the Florida Executive Clemency Board to plead to have his voting rights restored, he told Rick Scott, “I voted for you,” Scott laughed and added, “I probably shouldn’t respond to that.” Moments later, the Board restored Warren’s voting rights. At another hearing, Scott bragged that the Clemency Board “can do whatever we want.” *No longer, Rick.*

On February 1, 2018, U.S. District Judge Mark Walker held that Florida’s procedure for restoring voting rights is unconstitutional under the First and Fourteenth Amendments to the U.S. Constitution.

Recognizing that he could not simply issue an order directing Scott and the other defendants to “act right,” he ordered them to submit papers describing how they will remedy the constitutional violation.

Finally, and powerfully, he observed:

This Court is not blind to nationwide trends in which the spigot to access the United States’ most “precious” and “fundamental” right, the right to vote, depends on who controls the levers of power. That spigot is turned on or off depending on whether politicians perceive they will benefit from the expansion or contraction of the electorate . . . More than one-tenth of Florida’s voting population—nearly 1.7 million as of 2016—cannot vote because they have been decimated from the body politic. More than one in five of Florida’s African American voting-age population cannot vote.

If any one of these citizens wishes to earn back their fundamental right to vote, they must plod through a gauntlet of constitutionally infirm hurdles. No more. When the risk of state-sanctioned viewpoint discrimination skulks near the franchise, it is the province and duty of this Court to excise such potential bias from infecting the clemency process.