

**Testimony before the Governor's Commission for Open Government**  
**August 2008**

Thank you for affording me this opportunity to come before this Commission

It is clear that Governor Crist holds a deep commitment to restore confidence in our government to the people of Florida when forming this Commission. I am deeply grateful that we have a governor who is reaching down into the people and listening to their concerns.

My name is Barbara Hoard. I have spent to majority of my life serving my community working at the Escambia Pensacola Human Relations Commission. While I have been in a position to offer advice and assistance to others in need, I find myself at a total loss as to how to help my own son who has been serving a Life Without Parole sentence under the FELONY MURDER RULE since 1996. The Felony Murder Rule states that everyone involved in certain felonies, no matter how minimal their involvement, will be sentenced to Life without the possibility of parole, or the death penalty if in the commission of the felony, a death occurs. My son, as well as so many others didn't kill anyone, nor did most people charged under the Felony Murder Rule, even have knowledge that a death occurred. Yet they are serving life without parole as though they took the life of another human. My son did not kill anyone and has never been violent toward others. Every day our family grieves the loss of our son from our lives, and the irrefutable law that mandates that he remain in prison for the rest of his life.

Last year, at the COG 2007 August meetings, a woman spoke about clemency proceedings. She said 15 years ago, the person she was advocating for had been sentenced under the FELONY MURDER RULE, (that young man didn't kill anyone either). His clemency was denied. This Commission's recommendations regarding the clemency process were received by the Governor and action taken. However, only a fraction of all clemency requests are ever granted a hearing. How tragic that our system is so unforgiving, and so many worthy young people who could be given a chance to redeem themselves and contribute to society are condemned to life in prison with no chance to ever get out.

There are hundreds of people, perhaps thousands, in our prison system who have been sentenced to LIFE SENTENCES under the FELONY MURDER RULE. Defendants charged under this law did not commit murder. Their levels of participation in the felony which resulted in a death vary - many are first time offenders, not even 18 years old - yet all of them are condemned to spend the rest of their lives in prison.

**In the interest of public safety we must have law and order. Everyone should be held accountable for his or her actions, and those who commit violent crimes must be removed from society. To excuse intentional wrongdoing is inconceivable. But true justice requires that punishment fit the crime.**

**As a parent I bear guilt that I should've been more aware of who my son was 'hanging out' with and my son bears the pain that maybe, if he hadn't been there, this tragedy wouldn't have happened and his friend would still be alive. Our remorse is deep and sincere - We walk with sorrow every single day.**

**Unless the application of this law is changed the state of Florida will continue to dispose of hundreds of young people into the prison system where all education and rehabilitation has been removed and they will be there until they die. Every year the prison population grows and the increasing cost is borne by the tax payers who continue to suffer in these economic times**

**Christina Williams, who is with me today, and I are setting about to propose legislation which will allow the judiciary to sentence according to level of culpability, thus create a long over due release valve to the rigid mandatory sentencing requirements. We are members of Florida Citizens for FELONY MURDER RULE CHANGE.**

**Florida Citizens for an End to the Felony Murder Rule is a growing group of concerned citizens whose goal is the repeal of the Felony Murder Rule or, as a minimum, to have the law significantly amended so that the penalties possible are proportionate to the actual crime and similar in duration to other Florida murder laws. As currently written, there are only two penalties allowed for a felony murder defendant: death, or life in prison without possibility of parole** Please visit our web site at [www.felonymurderfl.org](http://www.felonymurderfl.org)

**I come to you as a mother, hard working public servant, and Circuit One Board member for the Department of Juvenile Justice, taxpayer and property owner. I implore each of you to review the information we leave with you today and please carry our message about the FELONY MURDER RULE to Governor Crist, President of the Senate and Speaker of the House. Impress upon the Governor that this law misrepresents justice and as currently written is a bad law. When amended this law will be a just law. Restore confidence to Floridians that our government is receptive to its citizens and that our government is going to make change. Speak about the clemency process and question why it is not working.**

**Thank each of you for listening to this message that comes from hundreds of families, and for carrying our plea to Governor Crist**

*Barbara Hoard*  
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