

"CEPA"

" CHRIST ETERNAL PRAYER ASSOCIATION " INC.

P.O. BOX 690411
ORLANDO, FLORIDA 32819

August 5, 1991



Commission on Civil Rights
1121 Vermont Avenue N. W.
Washington, D. C. 20425

Dear Sir:

We at "CEPA" are deeply concerned about the unconstitutionality and civil violation being committed by our lower courts concerning the Habitual Offender Statute; 775.084 in Florida. Enclosed is some information supporting our organization complaint about this illegal statute.

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Furthermore; we are convinced and know this statue was primarily designed and implemented especially for "BLACKS". Upon your Commission conducting an investigation, study and survey on the number "BLACKS" compare to White that are receiving this type of cruel and unjust punishment, you will discover that our allegations are facts. Especially here in the State of Florida.

"CEPA" feels this statute should be more consistent, accurate and specially for everyone who qualify for it. Our legislature shouldn't leave the choice of who receive this statue strictly in the hands of the courts. These individual have already demonstrated and performed acts of racism, discrimination and prejudice in our lower court, which have been publicized in the media.

Its ashame that we as "BLACKS" are subjective to enough cruel and unjust punishment doing regular court proceedings, than to be inflicted and afflicted with this type of misuse and abuse of the "LAW" and authority, by the "LAW". Now we are faced with more intimidation and servitude to keep us as "VOTS" - "VICTIM OF THE SYSTEM", prolonging our incarceration, depriving us of equal rights and treatment and denying certain inmates incentive as available to others.

I have also enclosed a newspaper article concerning the Habitual Statute, but apparently it wasn't signed by the out going Governor, where even judicial officials are complaining about this statute. We at "CEPA" have confidence your office will assist and help our organization in the proper administration and equal protection of this statute.

May "GOD" continue to bless you and your Commission and our organization. Lets continue to make the American Dream of freedom, "JUSTICE" and equality a "REALITY" for all God's

"A PERSON HASN'T REALLY LIVED, UNTIL THEY HAVE FOUND SOMETHING WORTH DYING FOR"

people inspite of ones race, creed, color and/or conditions.
"STOP" suppressing, depressing, oppressing and repressing our
people in order to enhance one career and/or status in life.
"START" helping and assisting God's people into becoming a
more productive, constructive and beneficial citizen of society.
Instead of the continuing burden now placed on society to house
and care for so many so-called misfits and unfortunates of our
society.

"LOVE" in "CHRIST"



Rev. O. M. VICKSON I
Chairman of "BOD"
"CEO"

cc: Chief Justice Leandor Shaw
Governor Lawton Chiles

President George Bush

LEGISLATURE 1990

Softer habitual-offender bill goes to Martinez

By Kim Stott
Staff writer

The Senate passed a bill yesterday that Jacksonville prosecutors say would cut by half the number of criminal defendants who could be prosecuted as habitual offenders. "I think it's devastating for the criminal justice system," said Assistant State Attorney Richard Mullaney, head of the felony division. The long-range consequence for the state of Florida is negative.

The House already has passed the bill, which now goes to Gov. Bob Martinez. The bill would change the habitual offender law passed in 1988, which allowed tougher sentences for criminals who are repeat offenders. The new bill restricts the criteria for repeat offenders by requiring that Jacksonville, with possession of a fire-

the new offense must be one of several violent crimes, including murder, sexual battery, robbery and arson — regardless of criminal history.

Although disappointed in the new bill, prosecutors noted that it does not take effect until after next year's legislative session. Chief Assistant State Attorney John Delaney said prosecutors will lobby legislators next year to try to repeal the measure.

Under the new bill, someone with a violent criminal history who commits

arm by a convicted felon.

Fort, whose background includes murder, robbery and escape, could not be prosecuted as a habitual offender on that charge, Assistant State Attorney Jon Phillips said, because the charge is not on the bill's list of violent crimes.

Phillips, who heads a special repeat offender court in Jacksonville, said the changes "eviscerate" the existing law and take it two steps backward.

But Chief Assistant Public Defender Bill White said the new bill "makes the law more honest."

"You just don't punish the person as a violent offender just because of their past," he said. "If someone is charged with a nonviolent crime, it's hard to call that person a habit-

ual violent offender," he said.

After the 1988 law passed, Jacksonville was one of two counties in Florida to set up a special repeat offender court. The other court is in Pinellas County.

The caseload has been so heavy in Jacksonville that officials recently added a second judge to hear repeat offender cases.

"It's the one tool that's working," Delaney said.

According to a legislative analysis of the new bill, Jacksonville sent more habitual offenders than any other county to Florida prisons last year. Duval County accounts for 22 percent of the habitual offenders sent to prison, while Dade County is not even on the list of the top 14 counties.