

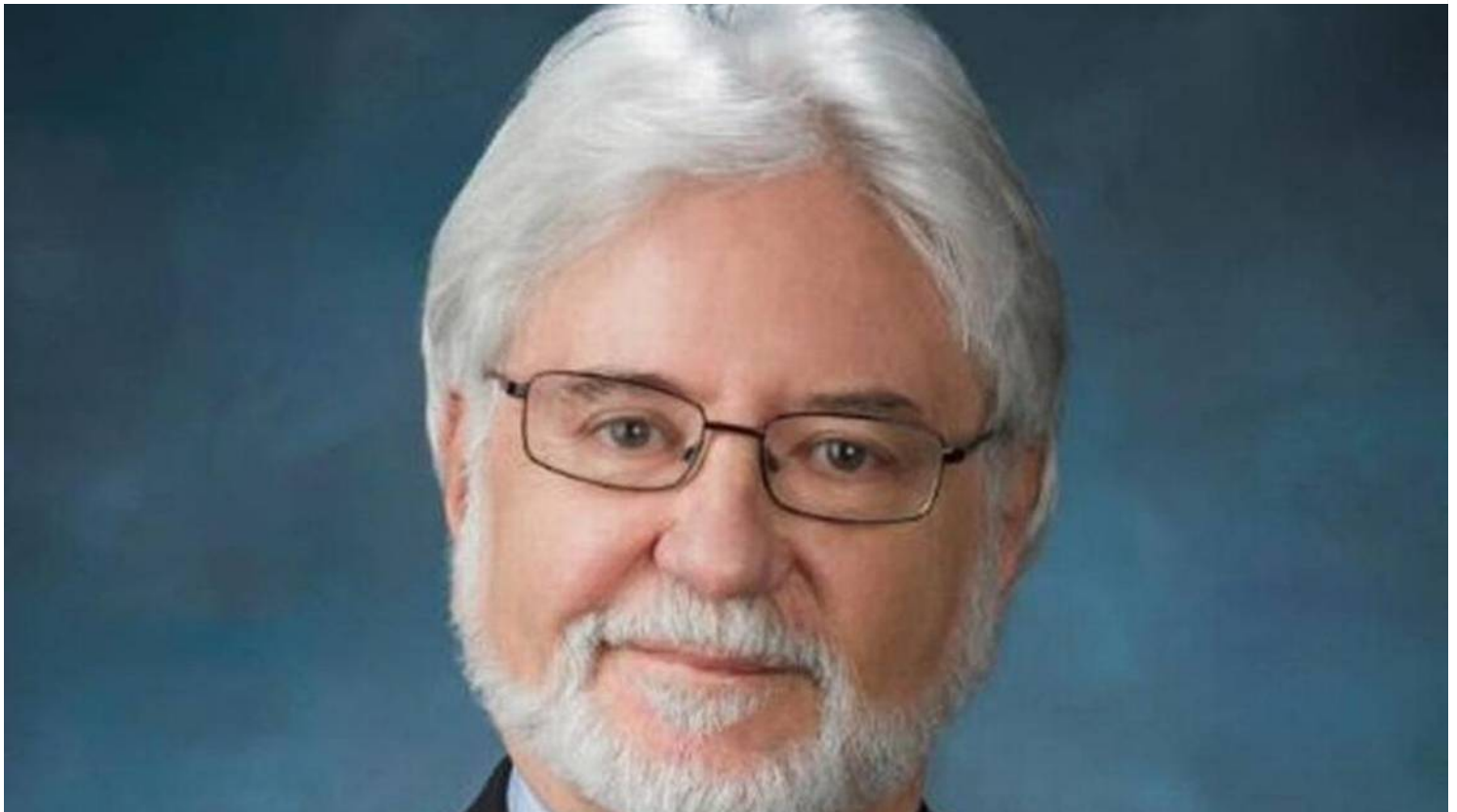


MIAMI-DADE COUNTY

Florida politician with hidden felony cocaine record voted illegally for two decades

BY **DAVID SMILEY** AND **CARLI TEPROFF**

JANUARY 30, 2018 08:21 AM



Douglas Hornsby

Search for the nexus of a political debate over whether Florida should restore felons' voting rights or purge its rolls and you'll find a white, 71-year-old radiologist named Douglas Hornsby.

A sitting commissioner in the sleepy Miami-Dade coastal town of North Bay Village, Hornsby was removed from office Monday after government officials determined he was never eligible to take his post. Turns out, the septuagenarian omitted an unresolved, 25-year-old felony cocaine conviction in Tennessee from his voting registration forms after he moved to Florida in the '90s, making him an illegal voter and an illegitimate elected official.

Hornsby, whose reason for removal was unusual even for South Florida, now finds himself at the center of a [small-town political drama](#) filled with allegations of extortion and retaliation. But given that Florida is months away from voting on a [ballot question](#) that could restore the voting rights to an estimated 1.5 million people, here's a more pressing issue: How exactly does an ineligible voter go unnoticed for 20 years and make it into public office?

The person best able to answer — Hornsby — was not interested in talking.

“You'll have to talk to my attorney,” he said before abruptly hanging up on a reporter.

There's no doubt in my mind that he knew he wasn't legally registered to vote

Village Attorney Norman Powell

According to a lawsuit filed by a voter seeking Hornsby's ouster, he was convicted of cocaine possession with intent to sell in Tennessee in 1992 after he failed to appear in court. That left Hornsby with a felony record and made him ineligible to vote under Florida law until his rights in Tennessee were restored.

But documents filed as attachments to the suit show that Hornsby was allowed to vote in Florida because when he filed his paperwork, he checked a box that said he either had never been convicted of a felony or had successfully restored his rights after moving to North Bay Village while on parole. He voted in “several” elections, according to an amended complaint filed Monday.

It wasn't until Hornsby was appointed to fill a vacancy on the Village Commission in December 2016 that someone noticed his old cocaine conviction and contacted elections officials, who began reviewing Hornsby's record. The embattled commissioner said he thought he'd already restored his rights in Tennessee and was able to vote. He claimed he was being extorted after someone sent him a copy of his criminal record in the mail.

In April, after his arrest became political fodder, he successfully petitioned the courts in Tennessee to resolve the problem, and the Village Council voted the next month to reappoint him out of concerns that his original appointment was invalid. But Miami-Dade Elections Supervisor

Christina White found in July that he never should have been registered in the first place and removed Hornsby from the county's voting rolls.

On Monday, village commissioners took the advice of Village Attorney Norman Powell and removed Hornsby from office, but not before several high-ranking village officials resigned and the former village attorney was fired. Powell, whose office is now poring over dozens of Hornsby's votes to see if they have any sudden legal problems, called Hornsby's behavior "egregious."

"There's no doubt in my mind that he knew he wasn't legally registered to vote," said Powell.

So, is Hornsby — a Democrat — an example of the pitfalls of draconian laws that bar ex-cons from voting? Or is he a cautionary tale that there are indeed illegally registered voters casting ballots on voting day?

Following a [statewide registration audit](#) in search of non-citizen voters several years ago, elections supervisors said there has been little evidence of illegally registered voters in Florida. More recently, President Donald Trump's claims of widespread voter fraud have been [widely debunked](#).

On the other hand, in Florida, one of three states where felons must apply for clemency in order to regain the right to vote, felons must wait for at least five years to apply for the restoration of civil rights. The issue disproportionately affects African Americans, and they tend to register as Democrats.

Tennessee has a different, bifurcated process that requires felons deemed to have committed "infamous" crimes to file to restore both their rights as citizens and as voters. It's a process confusing enough that Hornsby, who could have also filed for clemency in Florida after becoming a legal resident of the state, says he thought he'd restored his right to vote and was wrong.

Before hanging up on a reporter Wednesday, Hornsby said he wasn't surprised by the ruling. Ironically, Hornsby was able to register to vote only a few days after he was removed from the rolls, given that he resolved his issues in Tennessee last May. So, if he wants his seat back, this time he'd actually be eligible to take the job.

Still, Powell said the village didn't have any choice but to remove him.

"When people do things like this they don't think about the far-reaching ramifications for the smooth operations of government," Powell said. "We would have shrugged our responsibility if we didn't do anything."