

## CONSEQUENCES FOR ENTERING A PLEA TO MISDEMEANOR OFFENSES IN FLORIDA

1. If you enter a plea, depending on the charge, the disposition of your case, and your prior criminal history, you may or may not be able to seal and expunge your criminal record even if the court “withholds adjudication.”
2. You will not be able to wipe clean or erase your arrest record with the FBI because the FBI does not seal or expunge arrest records.
3. A plea to “credit for time served” or “CTS” sentence does not mean that your case was dismissed or dropped. To the contrary, it means that you pled guilty.
4. A plea of “no contest” does not eliminate the negative consequences of a finding of guilt by the court.
5. Because criminal history records are public, and many landlords obtain the criminal history records of potential renters, you may not be able to rent or lease a house or apartment.
6. Your arrest record does not disappear or go away just because the judge is withholding adjudication.
7. You may be required to give a sample of your DNA.
8. You may not be able to live with or visit someone who lives in public or Section 8 housing.
9. You may have your driver’s license suspended if you are convicted of a drug charge.
10. You may not be able to serve in the military, depending on the type and number of convictions. You cannot serve in the military or become a law enforcement officer if adjudicated delinquent or found guilty of domestic violence (misdemeanor or felony).
11. You will not be able to obtain federal student financial aid (grant, loan, or work assistance), for a period of time, if you were convicted of possession or sale of a controlled substance while receiving the financial aid.
12. If convicted, you will not be able to petition to seal or expunge your criminal record.
13. If convicted of a domestic violence misdemeanor offense, you will lose your right to own or possess a firearm or carry a concealed weapon.
14. If convicted, you could be expelled from a public university.
15. If convicted of certain drug offenses, property seized from you could be forfeited along with the controlled substance.
16. You could face a mandatory prison sentence on a future misdemeanor offense that is refiled as a felony if you are classified as a “Habitual Violent Offender.” You could also face longer jail sentences on future misdemeanor offenses.
17. You may not be able to obtain employment with:
  - the state or municipality if you were convicted of a 1st degree misdemeanor “directly related” to the job;
  - a county or municipality (if the job is critical to security or public safety);
  - law enforcement, correctional or other agency that works with children or elderly;
  - the public school system, a seaport or airport.
18. Convictions for certain misdemeanor offenses may be used to undermine your credibility should you testify in a trial.

**THIS DOCUMENT IS INTENDED FOR EDUCATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE LEGAL ADVICE.**

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19. Convictions may impact vocational licenses, military service, private employment, and prevent you from becoming a member of The Florida Bar.
20. You may be denied certain occupational or business licenses.
21. If you are not a United States citizen and do not have a green card (as permanent resident), a conviction or withhold of adjudication may prevent you from ever getting a green card. You could be deported, even if you have a green card.
22. If you are undocumented, it does not matter whether you plea guilty or not, you could be removed from the U.S.
23. If your arrest, conviction or withhold of adjudication is for a sex-related or sexually motivated charge, it can be used against you in the future to keep you locked up for a long time even after you have finished your sentence.
24. If you have four or more convictions for specified misdemeanors within one year of the incident date on a pending charge, you could be deemed a “Habitual Misdemeanor Offender.” As a result, you could be subject to increased sanctions in the future.
25. Being convicted of three or more specified offenses within a five-year period will designate you as a “Habitual Traffic Offender.” As a result, your driver’s license will be revoked for five years and you could be prosecuted for a felony for a future “Driving While License Suspended” offenses.
26. Being convicted of a 3rd or subsequent “Driving While License Suspended” offense constitutes a felony of the 3rd degree.
27. If you are convicted of fifteen specified moving violations within five years, your license will be revoked for five years.
28. Being convicted of a 3rd DUI that occurs within 10 years after a prior conviction for a DUI constitutes a felony of the 3rd degree.
29. If you are convicted of “drag racing,” your license will be suspended.
30. Upon a third conviction for “reckless driving,” your license will be suspended.
31. A conviction could expose you to the reclassification of an offense from a misdemeanor to a felony (e.g., a third petit theft can be filed as a felony, a third simple battery can be filed as felony battery)
32. If you are found guilty and fail to pay costs imposed by the court, your driver's license will be suspended.

For more information go to <http://www.pdmiami.com/ConsequencesManual.pdf>

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