

FLORIDA COMMISSION ON OFFENDER REVIEW

A Governor and Cabinet Agency Created in 1941



2014 ANNUAL REPORT

*Ensuring public safety and
providing victim assistance through
the post prison release process.*

FLORIDA COMMISSION ON OFFENDER REVIEW



Commissioner Tena M. Pate, Chair

Governor Rick Scott

Commissioner Melinda N. Coonrod, Vice Chair

Commissioner Richard D. Davison, Secretary

(Pictured from right to left)

FLORIDA BOARD OF EXECUTIVE CLEMENCY

Rick Scott, Governor

Pam Bondi, Attorney General

Jeff Atwater, Chief Financial Officer

Adam Putnam, Commissioner of Agriculture
and Consumer Services



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Chair's Message

December 2014

Dear Governor Scott and Members of the Cabinet, President Gardiner, and Speaker Crisafulli:

With the support of our state leaders and the focused efforts of our dedicated staff, the Commission prospered and grew both in recognition and in responsibility this year. With the successful passing of SB 1636, our long sought after name change initiative was realized and our agency became the Florida Commission on Offender Review. Our new name more accurately reflects the roles and responsibilities that the Commission carries out on a daily basis to ensure the public safety of Floridians. The Commission also welcomed Commissioner Richard D. Davison who was appointed upon the completion of Commissioner Bernard R. Cohen, Sr.'s term. This year the Commission provided accurate and precise information to the Clemency Board for quarterly clemency hearings, held three successful out-of-town hearings, performed more than 23,000 victim assists, and continued to strengthen relationships with other public safety and law enforcement agencies. Our impact also included the following highlights:

- Significantly reduced the number of pending Restoration of Civil Rights (RCR) applications by implementing a designated work group to screen RCR applications for initial eligibility.
- Re-branded the agency and redesigned outdated collateral including a new user-friendly public website allowing stakeholders to find information quickly and effectively in a new modernized layout.
- Received a Gold Star Award from Department of Management services for achieving the Change Management Initiative.
- Implemented a no-cost training series for staff on a variety of topics with a savings to the Commission and state of more than \$36,000.
- Observed National Crime Victims' Rights Week by hosting a presentation by Florida's Human Trafficking Awareness Advocate, Deborah Polston.
- Launched a crime prevention initiative to educate at-risk youth on the potential consequences of poor life decisions.
- Coordinated Operation Justice Owed, a statewide warrant sweep in conjunction with the United States Marshals Service, Florida Regional Fugitive Task Force to locate and apprehend absconded offenders.

The Commission plays a vital role in Florida's criminal justice system and contributes to ensuring public safety for residents and visitors to Florida, thereby reducing the number of crime victims. Commissioners Coonrod, Davison and I will continue to hold offenders accountable, while also providing through careful selection, the opportunity for deserving offenders to become contributing, law-abiding members of society.

Respectfully,

Tena M. Pate, Chair



Commission staff and the United States Marshals Service, Florida Regional Fugitive Task Force joined together for Operation Justice Owed.



The Commission's panel presentation at The 29th National Preventing Crime in the Black Community Conference.

Commissioners' Vitae



Commissioner Tena M. Pate, Chair

Commissioner Tena M. Pate, Chair, initiated her criminal justice career in 1979 with the Office of State Attorney for the First Judicial Circuit, and later became the first person appointed to serve as Victims' Advocate for Okaloosa and Walton Counties. In 1989, she accepted a position in the Executive Office of the Governor, and in 1993 was appointed as Florida's Victims' Rights Coordinator in the administration of Governor Chiles – also serving in this capacity with Governors Mackay and Bush. While in the Governor's Office, Pate dually served as a Clemency Assistant and State Attorney Liaison. Commissioner Pate had the distinct honor of serving four of Florida's Governors; Martinez, Chiles, Mackay and Bush until her appointment to the Commission. Commissioner Pate was originally appointed in 2003 by Governor Bush and Cabinet and subsequently reappointed by Governors Crist and Scott. She is currently serving her third two-year term as Commission Chair. Commissioner Pate has more than

30 years of experience in criminal justice and government relations, including appointments by former Chief Justice Charles T. Canady to the Florida Supreme Court's Florida Innocence Commission and by former Attorney General Bill McCollum and current Attorney General Pam Bondi to the Attorney General's Statewide Domestic Violence Fatality Review Team. She chairs the Association of Paroling Authorities International's Victims Committee, is a member of the Florida Council on Crime and Delinquency, the Florida Police Chiefs Association, Leadership Florida, Leadership Tallahassee, and is a graduate of the Florida Department of Law Enforcement Chief Executive Seminar.



Commissioner Melinda N. Coonrod, Vice Chair

Commissioner Melinda N. Coonrod, Vice Chair, began her criminal justice career in 1992 when she was appointed to serve as an Assistant State Attorney for the Second Judicial Circuit. As a prosecutor with the State Attorney's Office, Commissioner Coonrod handled a diverse set of criminal cases. She was the lead prosecutor in more than 57 jury trials and more than 30 non-jury trials. During her career as a prosecutor, Commissioner Coonrod gained extensive criminal law experience, and became well versed in the Florida criminal justice system. She prosecuted perpetrators of crimes, advocated sentencing of those found guilty and worked closely with victims and various law enforcement agencies. Commissioner Coonrod later served as an Administrative Hearing Officer with the Florida Department of Agriculture and Consumer Services Division of Licensing where she presided over 1,400 hearings involving the denial, suspension and revocation of licensure under Chapters 493 and 790,

Florida Statutes. Her experience also includes representing children before the courts as a certified court appointed Guardian ad Litem, providing training seminars to various law enforcement agencies, and teaching graduate and undergraduate courses as an adjunct instructor at Florida State University College of Criminology and Criminal Justice. On June 26, 2012, Commissioner Coonrod was appointed by the Governor and Cabinet to serve on the Commission. On April 29, 2013, she was unanimously confirmed by the Florida Senate to serve a six-year term, which expires June 30, 2018. On September 19, 2014, the Governor and Cabinet appointed Commissioner Coonrod to serve a two-year term as Vice Chair.



Commissioner Richard D. Davison, Secretary

Commissioner Richard D. Davison, Secretary, began his criminal justice career in 1989 as an Assistant State Attorney in the Ninth Judicial Circuit where he prosecuted juvenile delinquency, misdemeanor, and traffic cases in jury and nonjury trials. In 1991, he became the staff attorney for the Florida House of Representatives Committee on Criminal Justice. He then served as an Assistant Statewide Prosecutor for Florida's Office of Statewide Prosecution where he prosecuted white collar crime, organized crime, and other criminal enterprises. Following the creation of the Florida Department of Juvenile Justice in 1994, Commissioner Davison served as the Department's Director of Legislative Affairs, Assistant General Counsel, and Deputy Secretary. Subsequently, Commissioner Davison was appointed Deputy Secretary of the Florida Department of Corrections. Prior to his appointment to the Commission, Davison served as Legal Counsel and Director of Administration for the Gadsden County Sheriff's

Office, as well as a program coordinator for the City of Tallahassee Community Connections Restorative Justice Program. Commissioner Davison received a Bachelor of Science degree from Florida State University in 1984 and a Doctorate of Jurisprudence from the University of Florida in 1988. Commissioner Davison was appointed by Governor Scott and the Cabinet on August 19, 2014, to serve a six-year term which extends until June 30, 2020. His appointment is subject to confirmation by the Florida Senate.

Commission History

Overview:

In the early 1800's, state prisoners were leased to Florida companies to work as slave laborers. This era of inhumane and bitter treatment of prisoners ended after the notorious Taber case. Martin Taber was a young prisoner convicted of stealing a ride on a freight train. He died as a result of the brutal treatment administered by a lumber company boss to whom he was leased. An incensed public demanded the discontinuance of leasing prisoners, but prison overcrowding, the high cost of housing, and pressures for better treatment of prisoners set the stage for opportunists to peddle their influence in the pardoning of prisoners. The Pardon Board was created by the 1885 Florida Constitution and was composed of the Governor and Cabinet. Due to the limitations of the pardon system, the Florida Parole and Probation Commission was established in 1941. The Commission selected sentenced inmates for parole release and its field staff provided supervision. The responsibilities of the Commission were altered in 1975, transferring the supervising field staff responsibilities to the Department of Corrections (Department). Below is a historical timeline outlining the Commission's role.

Historical Timeline

- | | |
|---|--|
| <p>1978 The Florida Legislature enacted the Objective Parole Guidelines Act, which required the Commission to develop and implement rules and criteria upon which parole decisions were to be made. It required the development of guidelines according to an acceptable research method based on the seriousness of the offense and the likelihood of a favorable parole outcome. The Act also provided for reorganization of the agency into functional areas.</p> | <p>1996 The Commission began reviewing and establishing <i>presumptive parole release dates</i> (PPRD) for inmates convicted of capital felonies with 25-year minimum mandatory terms.</p> |
| <p>1983 Under Sentencing Guidelines, the Commission retained paroling authority primarily only for inmates whose offenses were committed prior to October 1, 1983.</p> | <p>2001 The Legislature created the <i>Addiction Recovery Supervision Program</i> and placed it under the Commission's administration. The law requires the Commission to set the terms and conditions of supervision, and to address alleged violations of supervision if the offender fails to abide by the conditions.</p> |
| <p>1988 The <i>Victim Assistance Law</i> was enacted and provided that the victim, or family of the victim, have the opportunity to provide input into the decision-making process.</p> | <p>2010 During Legislative Session, SB 200, a victim-friendly bill was passed and became law on July 1, 2010. The new law amended ss. 947.16, 947.174, and 947.1745, F.S., giving the Commission authority to increase the interval between parole consideration re-interviews to within seven years for parole-eligible offenders who have been convicted of murder, attempted murder, sexual battery, or attempted sexual battery, or who are serving a 25-year minimum mandatory sentence under s. 775.082, F.S. For victims and their families, reduction in the frequency of parole opportunities lessens the trauma, stress, and financial burden associated with the potential release of an offender.</p> |
| <p>1988 <i>Conditional Release Program</i> was enacted and provides that inmates convicted of certain crimes committed on or after October 1, 1988, and who have served at least one prior felony commitment at a state or federal correctional institution or have been sentenced as a habitual offender, violent habitual offender, violent career criminal or sexual predator, shall be released under supervision on their tentative release date subject to specified terms and conditions established by the Commission.</p> | <p>2013 HB 685 was signed by the Governor on June 5, 2013 and became law on July 1, 2013. The law expanded the list of crimes eligible for subsequent interview dates to be set within seven years to include the act or attempt of kidnapping, and the crimes of robbery, burglary of dwelling, burglary of a structure or conveyance, or breaking and entering, or an attempt thereof of any of these crimes, in which a human being is present and a sexual act is completed or attempted. The sexual act or attempt thereof does not apply to the kidnapping offenses.</p> |
| <p>1989 <i>Control Release Authority</i> was established. This legislation directed the Commission to develop a system of uniform criteria to determine the number and type of inmates released into the community in order to maintain the state's prison population between 99% and 100% of its total capacity. The <i>Control Release Program</i> became effective September 1, 1990, and over the next four years, 75,000 inmates were released through this program.</p> | <p>2014 SB 1636 was passed and the name of the Commission was changed from the Florida Parole Commission to the Florida Commission on Offender Review. The Legislature passed HB 5303 which reassigned the responsibility for appointing capital clemency counsel from the courts to the Board of Executive Clemency. Under the bill, the Board may only appoint private counsel and the fees will be paid from funds appropriated to the Commission.</p> |
| <p>1992 <i>Conditional Medical Release Program</i> was established. This program authorizes the Department to recommend to the Commission terminally ill or permanently incapacitated inmates for early release due to their medical conditions.</p> | |

Facts About the Commission

The Commission performs a vital role in Florida's criminal justice system by preserving the autonomy needed in post release decisions affecting inmates and ex-offenders. The Commission functions as a quasi-judicial, decision-making body.

Commissioners preside over approximately 36 meetings annually at the Central Office in Tallahassee and, various other locations throughout the state as required by statute. During these public proceedings the Commissioners make a variety of determinations regarding parole and other releases. In addition, the Commission reviews releases' supervision status every two years.



Commissioners Davison, Coonrod, and Pate during a hearing.

Every parole eligible inmate has a constitutionally protected right to proper consideration for parole, and these proceedings must be conducted as required by law. In both parole and conditional medical release, testimony and pertinent information may be provided by representatives of the inmate, the inmate's family, by persons who were victims of the crime, and the victim's family. This proceeding is often the first opportunity for a victim, or family member of a victim, to provide input in a non-adversarial venue. If parole is granted, the Commissioners will address victim restitution issues as well as special conditions needed to ensure the protection of the citizens in our state and the successful re-entry of the offender into society. The Commissioners may also hear from law enforcement, state and private attorneys, and other interested parties.

During meetings, the Commission also conducts other types of proceedings, such as imposing conditions of conditional release or addiction recovery supervision. The Commission makes final determinations with regard to revocation of post release supervision, where a releasee may have violated the conditions of their release. When

the Commission determines that the releasee is guilty of a willful and substantial violation, the Commission may order the violator's return to state prison to complete service of the original term of imprisonment.

The Commission functions as a quasi-judicial, decision-making body.

The Commission serves as a cost-saving mechanism for the taxpayers of the State of Florida by conducting revocation hearings for post release supervision violators in informal surroundings conducted before an investigator, and usually held at a county jail, with witnesses to the violation providing the pertinent testimony. The United States Supreme Court has fully sanctioned the state's use of these less costly proceedings, with limited due process requirements. Probation revocation hearings, by contrast, require that proceedings be conducted in a courtroom before a judge, with an assistant state attorney prosecuting the case, and generally an appointed public defender representing the offender, plus all other expenses attendant to a criminal proceeding, at much greater expense to the state.

In 2004, the Senate Criminal Justice Committee best summarized the Commission's history and responsibilities by writing that there was "no stable mechanism for managing inmate reentry after the abolition of parole." The report also stated that "prior to 1983, parole was the traditional mechanism for managing an inmate's reentry into the community" and that historically, it was the Commission that ensured an inmate was ready for release, that he or she had a place to live, a job or solid job prospect, and the support of family and friends. Once the inmate was returned to the community, the parole officer monitored that release plan while supervising the parolee.

In 2005, the Legislature ordered an Office of Program Policy and Governmental Accountability (OPPAGA) study of the Commission. The OPPAGA study (OPPAGA Report 2006-15) concluded that "the Commission's operations are consistent with its mission" and stated that "regionalizing the Commission's parole determinations function would distribute this workload across the state," but would result in increased overall state costs. OPPAGA found that the Commission is successful in identifying low risk offenders for release.

Commission Functions & Activities

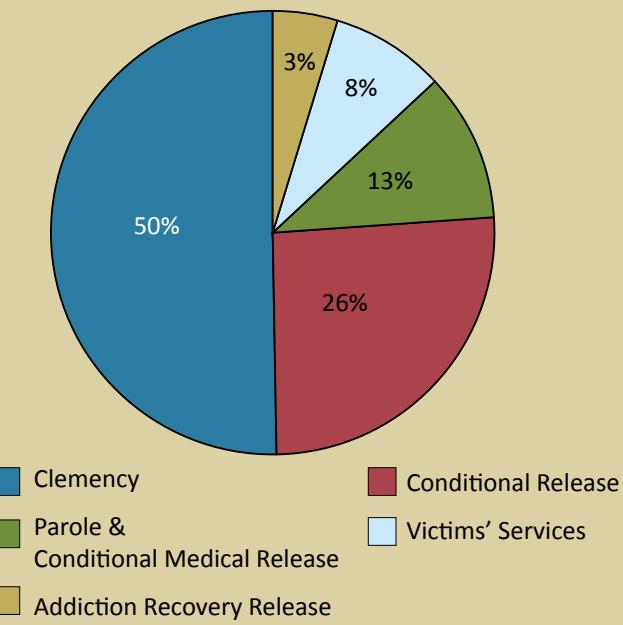
Victims' Services

The Victims' Services section provides direct, personal service to crime victims and their families. Staff strive to reduce victimization through education within an environment of compassion, dignity, and respect. The section is proactive in educating victims and informing them of their rights. Central Office staff, in coordination with Field Services staff, attempt to locate all victims to inform them of their right to be present, informed, and heard in the clemency or Commission processes. Victims are located using many resources, including death certificates and obituaries to identify survivors, Florida driver's license information, the Internet, and the CLEAR investigative interface.

Victims are also informed of their right to be notified by the Department of an inmate's movement within the prison system or an escape.

Victim input is important at every stage of the clemency, parole and conditional medical release process and is crucial to informed decision-making. Victim participation can impact a variety of decisions including clemency and conditional medical release or aggravating factors when setting a presumptive parole release date (PPRD). Restitution, special conditions of supervision, and treatment programs for the offender are also impacted. If a victim chooses not to participate in this process, the person may still request to be notified and informed of upcoming proceedings and the Commission's or Clemency Board's actions concerning those proceedings. Victims make the decision as to what extent they wish to participate in the process.

**WORKLOAD HOURS BY FUNCTION
FY 2013-14**



The "Victims of Crime Act" was enacted in 1984 and provides federal funding to assist state, local, and private non-profit agencies to provide direct services to crime victims. Staff offers assistance to victims and their families by: responding to their emotional needs; providing the necessary support and resources available to help stabilize their lives after victimization; and providing information on the criminal justice system and its operations. This section is proactive in seeking ways to broaden the services that are available to victims.

Parole

The Commission administers parole, a discretionary prison release, which allows an inmate who has been granted parole to serve the remainder of his prison sentence outside of the confines of the institution. Once released, the parolee is subject to strict conditions of supervision set by the Commission. The Commission monitors their progress through supervision reviews and conducts revocation hearings when alleged violations are reported. If the parolee is found to have willfully and substantially violated the conditions of his supervision, the Commission may return the parolee to prison.

Parole eligible inmates are those who committed:

1. A first degree murder, a felony murder, or the crime of making, possessing, throwing, projecting, placing, or discharging a destructive device (or the attempt of) prior to May 25, 1994;
2. All other capital felonies prior to October 1, 1995;
3. A continuing criminal enterprise (violation of section 893.20, Florida Statutes) prior to June 17, 1993;
4. A murder of a law enforcement officer (and other specified officers) prior to January 1, 1990;
5. A murder of a justice or judge prior to October 1, 1990;
6. Any felony prior to October 1, 1983, or those who elected to be sentenced "outside the guidelines" for felonies committed prior to July 1, 1984;
7. Any habitual offender sentence prior to October 1, 1988.

The following capital felonies require a minimum of 25 years to be served before becoming parole eligible: first-degree murder; sexual battery upon a child less than 12 years old; trafficking in cocaine; trafficking in illegal drugs; and the killing of another by distribution of cocaine or opium or derivatives.

There are approximately 4,626 inmates currently eligible for parole consideration. On July 1, 2014, there were 440 parolees on supervision. In FY 2013-14, 23 inmates were granted parole.

Conditional Medical Release

In 1992, the Florida Legislature created the Conditional Medical Release Program (section 947.149, Florida Statutes) which is a discretionary release allowing the Commission to release inmates on supervision who are “terminally ill” or “permanently incapacitated” and who are not a danger to others. The Department is charged with the responsibility of recommending to the Commission cases to be considered for conditional medical release. Upon release, the offender is subject to conditions of supervision set by the Commission. The Commission monitors the offender’s progress through periodic medical reviews. The supervision can be revoked and the offender returned to prison if the Commission determines that a willful and substantial violation of supervision has occurred or if their medical or physical condition improves. In FY 2013-14, the Commission granted eight of the 19 inmates recommended by the Department for conditional medical release.

Conditional Release

In 1988, the Florida Legislature created the Conditional Release Program (section 947.1405, Florida Statutes) and placed it under the administration of the Commission. The program is a non-discretionary release and requires mandatory post prison supervision for inmates who are sentenced for certain violent crimes and who have served a prior felony commitment at a state or federal correctional institution, or who are designated as a habitual offender, violent habitual offender, violent career criminal or sexual predator.

Inmates who are subject to conditional release and have completed the incarceration portion of their sentence are placed under supervision for the remainder of their sentence. These offenders are subject to strict conditions of supervision set by the Commission. The Commission monitors their progress through supervision reviews, conducts revocation hearings when violations occur, and takes swift and certain response, up to and including the return to prison when willful and substantial violations occur. On July 1, 2014, there were 3,177 inmates on conditional release supervision, and in FY 2013-14 the Commission set terms and conditions for 5,305 offenders.

Addiction Recovery

The Florida Legislature created the Addiction Recovery Supervision Program (section 944.4731, Florida Statutes) in 2001 and placed it under the Commission’s administration. This program requires mandatory post prison supervision for offenders released from a state correctional facility who are convicted of a non-violent crime committed on or

after July 1, 2001, and have a history of substance abuse or addiction or have participated in any drug treatment, and have not been convicted of a disqualifying offense. Upon release, the offender is subject to strict conditions of supervision set by the Commission. The Commission monitors the offender’s progress through supervision reviews and conducts revocation hearings when violations occur. If the Commission finds the offender willfully and substantially violated the terms and conditions of supervision, the Commission may return the offender to prison. As of July 1, 2014, there were 299 offenders on addiction recovery supervision and in FY 2013-14 the Commission set terms and conditions for 1,120 offenders.

Control Release

The Florida Legislature created the Control Release Authority (section 947.146, Florida Statutes) in 1989 with the members of the Commission acting as the release authority. When active, control release is utilized as a prison population management tool to maintain it between 99% and 100% of total capacity. Currently, the Commission is not reviewing the inmate population for discretionary release under this authority as there are sufficient prison beds to house the current prison population. Today, a small number of control releasees remain under supervision. The Commission monitors their progress through supervision reviews and conducts revocation hearings when alleged violations occur.

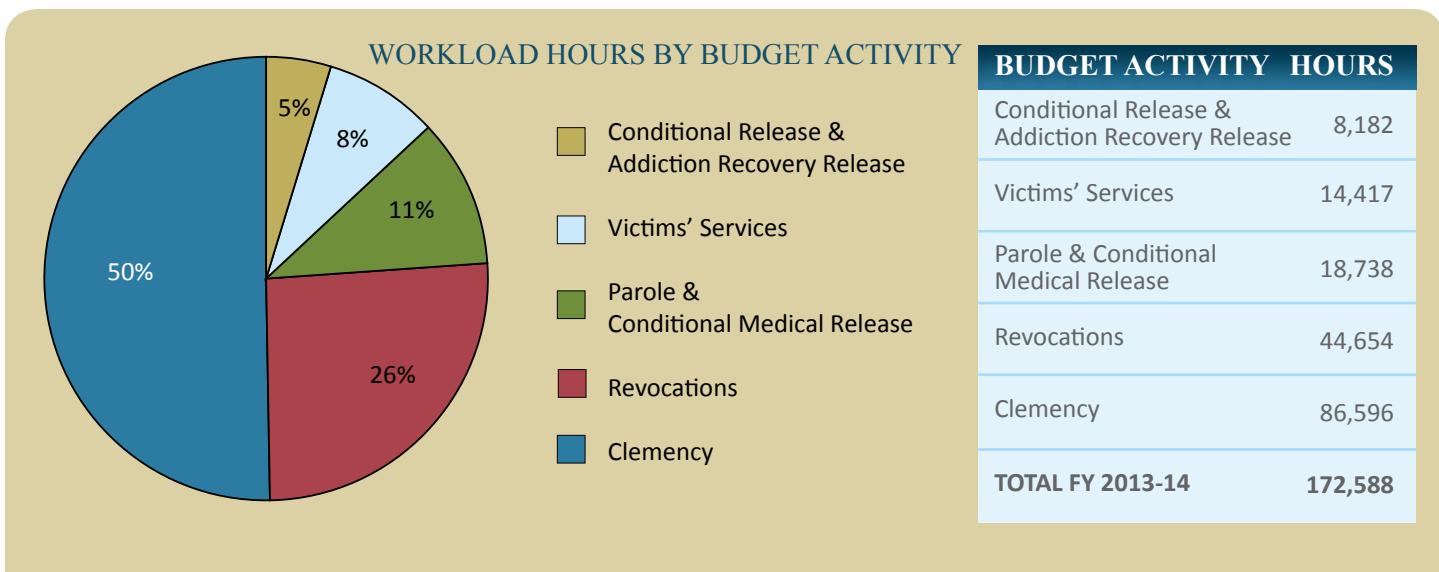
Clemency

The Governor and members of the Cabinet sit as the Board of Executive Clemency; the Commission operates as the administrative and investigative arm of the Board. Clemency is a constitutionally authorized process and the forms of clemency include: a full pardon; pardon without firearm authority; pardon for misdemeanor; commutation of sentence; remission of fines and forfeitures; specific authority to own, possess, or use firearms; restoration of civil rights (RCR) in Florida; restoration of alien status under Florida law; and capital case (death penalty) reviews.

Under the Florida Constitution, when a person is convicted of a felony, they lose the right to vote, sit on a jury, hold public office, and possess a firearm in Florida. The clemency process administered by the Commission provides the means through which an offender may have some or all of their rights restored.

Individuals seeking any form of clemency must start the process by submitting an application and the required court documents to the Office of Executive Clemency (OEC). Detailed Information is available on the clemency web page (www.fcor.state.fl.us/clemencyOverview.shtml).

Year in Summary Statistics



Addiction Recovery

- 1,120 inmates were placed on addiction recovery supervision.
- 299 inmates were under addiction recovery supervision on July 1, 2014.
- 95% of offenders placed on addiction recovery successfully completed supervision.

Conditional Release

- 5,305 inmates were placed on conditional release supervision.
- 3,177 inmates were under conditional release supervision on July 1, 2014.
- 79% of offenders placed on conditional release successfully completed supervision.

Offender Revocations

- 1,768 revocation determinations were made.
- 99% of revocation determinations were completed within 90 days of final hearing.
- 2,028 warrants were issued.

Clemency Services

- 4,820 clemency applications were received.
- 20,125 clemency applications were pending on July 1, 2014.
- 7,636 clemency cases were completed.

Parole Determinations

- 1,437 parole release decisions were made.
- 4,626 inmates were eligible for parole release as of July 1, 2014.
- 440 inmates were under parole supervision on July 1, 2014.
- 23 inmates were paroled.

In FY 2013-14, the Commission took action on 18,795 inmate and ex-offender cases in the clemency and post-conviction processes.

Victims' Services

- 23,112 assists to victims were provided by the Commission.

Conditional Medical Release

- 19 inmates were referred for conditional medical release.
- 8 inmates were granted conditional medical release.
- 100% of offenders placed on conditional medical release successfully completed supervision.

Financial Disclosure

Budget Category	Appropriated Budget	Actual Expenditures as of June 30, 2014	Balance as of June 30, 2014
Salaries	\$ 6,934,287	\$ 6,801,895	\$ 85,863
OPS	\$ 585,160	\$ 585,160	\$ -
Expense	\$ 898,670	\$ 898,670	\$ -
OCO	\$ 16,771	\$ 4,871	\$ 11,900
Risk/Insurance	\$ 57,697	\$ 57,697	\$ -
Lease/Purchase Equipment	\$ 20,300	\$ 20,300	\$ -
Human Resource	\$ 47,001	\$ 47,001	\$ -
Data Processing	\$ 194,450	\$ 194,450	\$ -
Total	\$ 8,754,336	\$ 8,610,044	\$ 97,763

Performance Measures

48	Parolees successfully completed their supervision without revocation within the first two years.	96%	Of parolees have successfully completed their supervision without revocation within the first two years.
1,768	Number of revocation determinations.	99%	Of cases placed before the Commission/Clemency Board contained no factual errors.
7,636	Number of clemency cases completed.	99%	Of revocation cases were completed within 90 days of final hearing.
1,457	Number of parole and conditional medical release decisions.*	99%	Of RCR <i>With a Hearing</i> cases provided to the Clemency Board contained no factual errors.
23,112	Number of victim assists.	99%	Of RCR <i>Without a Hearing</i> cases provided to the Clemency Board contained no factual errors.
7,934	Number of conditional release/addiction recovery cases handled.*		

* Number includes re-docketed cases.

Division of Operations

The Division of Operations is the largest unit of the Commission, with 82 positions throughout the state. It is comprised of four sections: the Revocations Unit; Victims' Services; Office of the Commission Clerk; and Field Services. Twelve field offices are divided into five regional areas across the state with each region staffed by an Administrator who directs the day-to-day activities of the professionals and support staff assigned to the offices located within the region.

Operations is responsible for multiple, diverse functions relating to the administration of post prison supervisory release programs. These supervised release programs include parole, conditional medical release, control release, conditional release, and addiction recovery release supervision. The Division, through its Field Services staff, conducts parole interviews, administrative hearings for alleged violations of supervision, as well as clemency investigations for the Board of Executive Clemency.

Operations Accomplishments: FY 2013-14

During FY 2013-14, the Commission held successful hearings in Okaloosa County in October 2013, in Duval County in January 2014 and in Miami-Dade County in May 2014. The hearings were well attended by victims' families, inmate supporters and the media. Several media outlets highlighted the Commission's visit to their community and acknowledged the very important work the Commission handles.

By invitation of the Department of Corrections, Chair Pate, Commissioner Coonrod, and several Commission staff members toured the Reception and Medical Center in Lake Butler in October 2013. The tour included the medical dorm where many conditional medical release candidates are housed.

"Operation Justice Owed," a warrant sweep operation conducted in conjunction with the United States Marshals Service (USMS), Florida Regional Fugitive Task Force was conducted in early 2014 by the Commission in an effort to locate and apprehend absconders to ensure the public safety of Florida's residents. Commission staff analyzed data from 1970 to current day in order to determine the eligible cases for the operation. The Commission received significant assistance and vital data from the Florida Department of Law Enforcement, the Department of Financial Services and the Department of Health. This collaborative effort allowed the Commission to dispose of eighty-three warrants as of June 30, 2014.

Field staff across the state formed a procedure directive workgroup focused on modernizing outdated directives. The first procedure directive completed was for conducting revocation hearings.

During the 2014 Legislative Session, the Commission received funds to hire additional staff, including a research analyst position to support special projects and to evaluate the efficiency and effectiveness of the Commission's programs. The position will develop strategies to improve

the agency's functions and services, allowing the Commission and Clemency Board to enhance public safety by providing better tools and more information to assist in making the most informed decisions possible.

Office of the Commission Clerk

The Office of the Commission Clerk receives thousands of cases each year which staff prepare and process for the Commission's review and action. They include conditional release interviews, parole interviews, parole release plan investigations, addiction recovery interviews, conditional medical release recommendations, supervision reviews, requests for modifications of the conditions of supervision, eligibility reviews and special requests from the Department.

Office of the Commission Clerk Accomplishments: FY 2013-14

During FY 2013-14, the Office of the Commission Clerk implemented a new phase of the Commission Management System (CMS), the agency's paperless docketing mechanism. Specifically, programming and testing were completed for the electronic transferring of documents from CMS directly into the Department of Corrections' Inmate Records Imaging System (IRIS).

The office also conducted an in-depth review of all parole eligible inmates reported by the Department to ensure proper coding in the Corrections Data Center (CDC), refinement of data extraction, and increased final data accuracy.

The number of cases docketed in FY 2013-14 included:*

- Parole - 1,459
- Conditional Medical Release - 22
- Conditional Release - 6,638
- Addiction Recovery Release Supervision - 1,233
- Control Release - 0

*Individual cases may be docketed multiple times throughout the year, therefore docketed case totals may be higher than actual case totals.

Revocations

Revocations reviews all violation reports, prepares arrest warrants, updates the National Crime Information Center/ Florida Crime Information Center (NCIC/FCIC) databases, responds to requests from law enforcement agencies, coordinates the extradition of violators, and performs functions relating to the docketing and processing of cases for Commission action involving review of supervision and violations of supervision.

Revocations Accomplishments: FY 2013-14

- Warrants Issued - 2,028
- Warrants Dismissed - 462
- Cases Reviewed and Prepared for Docket - 1,768*

*Includes parole, conditional medical release, control release, conditional release, and addiction recovery release supervision cases.

The Revocations Unit staff became fully cross-trained during FY 2013-14 and desk manuals for each position in the unit were created or updated to ensure all tasks can be accurately completed in the absence of the primary team member. Additionally, agency procedure directives were created for Waivers in Absentia and Out-of-State Hits and Extraditions.

The Commission presented a panel session titled 'The Impact of Crime: The Good, The Bad & The Ugly' at The 29th National Preventing Crime in the Black Community Conference, which gave attendees insight into the lives of three successful parolees and one crime victim. Each panelist shared their individual journeys in rehabilitation programs, remorse and successful re-entry into society. The parolees also discussed the realization of the impact of their behaviors on their victims, families and communities as a whole.

Victims' Services Accomplishments: FY 2013-14

Victims' Services received approval for continuation of a federal grant under the Victims of Crime Act to provide funds for a full-time staff position responsible for assisting victims of offenders who are seeking clemency.

The Victims' Services staff worked diligently to provide hearing recommendations to victims prior to the hearings. The effort increased the level of service provided to the victims served, increased victim participation and increased victim satisfaction.

In observance of National Crime Victims' Rights Week in April, the Commission hosted a presentation by Ms. Deborah Polston, Florida's Human Trafficking Awareness Advo-

cate. Ms. Polston's presentation highlighted her advocacy experiences and educated attendees on identifying the signs of possible victims.

Also during FY 2013-14, the Victims' Services staff participated in training programs on Human Trafficking Awareness, Sexual Battery and the Criminal Justice System, Advocating for Child Abuse Victims, and Fatality Review Processes.

The Victims' Services Unit handled 2,491 information requests by victims of parole, conditional medical release, clemency and conditional release cases in FY 2013-14.

The Victims' Services Unit provided victims with 8,174 status updates for parole, conditional medical release, clemency and conditional release cases in FY 2013-14.

The Victims' Services Unit located 1,010 victims of parole, conditional medical release, clemency and conditional release cases in FY 2013-14.

Field Services

Field Services is responsible for performing a variety of functions, including acting as hearing officers when conducting administrative hearings.

Regarding the parole release process, Field Services Investigators conduct inmate interviews at the correctional facilities, perform investigations, and make recommendations regarding the establishment of a presumptive parole release date (PPRD) for parole eligible inmates. Their duties also include: making recommendations regarding changes to an inmate's PPRD and whether to release on parole; conducting investigations for parole release plans; and locating victims or relatives of victims. Additional duties are clemency-related and include conducting full investigations for the Board of Executive Clemency.

Field Services Statewide Activity Totals: FY 2013-14

- Parole Interviews - 955
- Revocation Interviews - 2,785
- Revocation Hearings - 762
- Total Interviews and Hearings - 4,502

Division of Administration

The Division of Administration serves as a liaison with the Governor's Office of Planning and Budgeting, the Office of Program Policy and Government Accountability, the Auditor General, the Florida Legislature, the Department of Financial Services (DFS), the Department of Management Services (DMS), and the Department of Corrections' Information Technology section. The Division provides administrative support to the Commission's Central Office and 12 field offices. Administration includes Human Resources, Finance and Accounting, Purchasing, Safety, Grants, Contracts, Inventory, Emergency Management and General Services. This Division has fiscal responsibility for the agency including preparation of the agency's Legislative Budget Request, management of the Commission's operating budget, the Long Range Program Plan, and purchasing of all commodities and services for the agency. In addition, the Division is responsible for preparing data, statistics, and financial information. The Division of Administration is committed to providing exceptional customer service to both internal and external customers.

Administration Accomplishments: FY 2013-14

The Department of Financial Services reported 99-100% prompt payment requirement compliance by the Commission which processed 1,529 invoices.

The Commission received the Gold Star Award from DMS for achieving the Change Management Initiative focusing on employee expectations in People First.

The Commission was recognized by DMS as a high performer with 100% performance evaluations completed.

The Commission had no workers compensation claims for FY 2013-14 and the overall cost for workers compensation was reduced during the past three years.

The Commission received an increase of \$10,000 in VOCA (Victims of Crime Act) grant funding for FY 2014-15.

The Revocation Unit's warrant tool bar system was completely reprogrammed, the Security Request System was updated to include Commission selections and locations, all Commission computers were upgraded to Word 2007 and the Department of Correction's website team worked a total of 480 hours designing and publishing the Commission's new public website.

Numerous revisions have been made to documents, billing statements, signs, badges, p-cards and purchases based upon the Commission's name change. Administration continues to make revisions statewide to complete the name change.

Office of General Counsel

The Office of the General Counsel is charged with successfully prevailing on litigation filed against the Commission; providing quality legal advice and representation in a prompt manner; and engaging in proactive legal counseling to prevent unnecessary litigation in the future.

General Counsel Accomplishments: FY 2013-14

The Office of the General Counsel was actively involved in litigation during FY 2013-14 in both state and federal court, opening 538 new cases.

The office filed 693 court pleadings, motions, responses, briefs, memoranda, and legal correspondence as a result of releasees, parolees, and clemency applicants challenging the Commission's decisions.

Further, the attorneys provided 505 legal opinions, advice and support to the Commissioners, Central Office and the five regional offices.

Office of Legislative Affairs

The Office of Legislative Affairs is charged with directing and overseeing the Commission's legislative program as the agency's chief legislative advocate. This office routinely interacts with all members and staff of the Florida Legislature; the Office of Program Policy and Accountability (OPPAGA) and the appropriate Joint Legislative Committees; the Governor's Office of Policy and Budget (OPB); the Governor's Office of Legislative Affairs; and the Legislative Affairs Directors (LADs) of all state agencies, particularly those in the areas of law enforcement and criminal justice.

Legislative Affairs Accomplishments: FY 2013-14

The following is a summary of the key Commission issues that were impacted by the 2014 Regular Legislative Session:

The legislature entered session with a significant budget surplus, allowing the Commission the opportunity to address several longstanding budget needs. Additionally, the Commission was successful in passing a long sought after name change. The new name, Florida Commission on Offender Review (FCOR), more accurately reflects the roles and responsibilities the Commission carries out on a daily basis to ensure the public safety of Floridians.

The Commission's primary 2014 legislative priority was to rename the agency to more accurately reflect our roles and responsibilities. To accomplish this, two committee bills were filed, Senate Bill (SB) 1636 by the Senate Criminal Justice Committee and House Bill (HB) 7125 by the House Judiciary Committee. The Senate passed SB 1636

on April 11, 2014 by a vote of 35-2. The House took up the Senate bill on April 30, 2014 and passed the bill 117-0. Governor Scott signed the bill on June 20, 2014 making the name change effective July 1, 2014.

The Commission's operating budget for FY 2014-15, as provided in HB 5001, is \$9,569,579 and includes:

1. An increase of \$1.2 million in funding including an additional 10 FTEs;
 - Nine FTEs to address clemency workload issues;
 - Research Analyst position to support special projects;
 - \$46,500 in OPS funding for clemency phone operators; and
 - \$125,000 for the Commission to manage clemency counsel for capital case proceedings.
2. Full funding of base budget and 122 FTEs (132 total with 10 additional positions).

Office of Communications

The Office of Communications is charged with overseeing the agency's communications and public information program, with the Director acting as the agency's chief spokesperson. This office responds to daily inquiries from local, state, and national media organizations, as well as responding to public information and public records requests. This office routinely interacts with the Governor's Office of Open Government for public records requests, the Governor's Office of External Affairs and Citizen Services for Governor's correspondence sent for Commission response, the Governor's Communications Office, and other state agency Communications' Directors and Public Information Officers.

Communications Accomplishments: FY 2013-14

Created a communications plan and strategy to educate key stakeholders regarding the Commission's name change.

Hosted National Crime Victims' Rights Week activities including a victims' rights walk and presentation by Florida's Human Trafficking Awareness Advocate Deborah Polston.

Rebranded and updated all agency collateral including:

- Clemency Timeline
- Media Kits
- Executive Clemency flier
- Informational Commission PowerPoint
- Commissioner biographies
- Commission's annual report
- Commission's general brochure
- Victims' Services brochure
- All-agency 2014 Goals and Strategies document
- Commission's public website
- Commissioner Handbook and Reference Guide

Office of Executive Clemency

The Office of Executive Clemency (OEC) reports directly to the Governor and Cabinet who sit as the Clemency Board in the performance of their duties and responsibilities. This office is co-located with the Commission for ease of operation and coordination of functions. OEC was created in 1975 to process applications for executive clemency requiring approval of the Governor and requisite members of the Cabinet. The Coordinator is appointed by the Governor and Cabinet and is responsible for coordinating all clemency meetings, referring applications for investigation and serves as the official custodian of all clemency records.

In addition to processing requests for Restoration of Civil Rights (RCR), applications for restoration of alien status under Florida law, full pardons, pardon without firearm authority, pardon for misdemeanors, remission of fines, requests for review regarding commutations of sentence and specific authority to own, possess or use firearms, the office also provides verification and certification of RCR and all other forms of clemency requested by law enforcement agencies, state attorneys, public defenders, licensing agencies, and supervisors of elections. During FY 2013-14, staff prepared 4,520 "Gold Seal" letters, which verified the status of clemency requests for inquiring agencies.

The OEC prepares and distributes the agenda for the Board meetings, as well as the orders and certificates granting clemency, and is responsible for notifying the applicants and their attorneys regarding meeting dates and the status of their cases. Information and applications for clemency are distributed on a daily basis. Office staff responds to questions and assists applicants in completing the requests for RCR, as well as responding to correspondence and phone calls referred from the Governor, Cabinet offices and other government agencies.

The Coordinator works with the Governor and Cabinet members' clemency aides on the interpretation of the Rules of Executive Clemency and stays abreast of new state and federal legislation that may have a direct or indirect impact on the clemency process in Florida. The Coordinator also responds to research inquiries regarding clemency and provides information to persons conducting federal and state surveys on clemency procedures in Florida.

RCR Recidivism Report

Rule 18 directs the Office of Executive Clemency, the Commission, and the Department to provide annually, a report on the status of individuals whose rights were restored for the previous two calendar years, including recidivism statistics and evaluative data.

The report was provided to the Board by the Commission on July 1, 2014, and is an overview of the processing and granting of RCR cases for calendar years 2012 and 2013, along with data indicating the number of these individuals who have re-offended with a new felony conviction. To access this report, visit: www.fcor.state.fl.us/reports.shtml.

Office of Executive Clemency Accomplishments: FY 2013-14

During FY 2013-14, the OEC coordinated quarterly clemency meetings; September and December 2013, and March and June 2014. Much of the work is prepared prior to and after meetings regarding contacting applicants and informing them of their placement on the agenda and of the results after the meeting. The OEC and Clemency Investigations work jointly to ensure productive meetings.

Clemency's toll-free information number received 11,529 calls in FY 2013-14.

Since its inception on October 6, 2008 and through June 27, 2014, the clemency RCR search web page had the following results:

- Visitors to site - 1,350,870
- Certificate searches - 1,003,090
- RCR certificates located - 111,021
- RCR certificates viewed and available to print - 70,169
- Certificates available online on June 27, 2014 - 375,833

The OEC focused efforts on customer service and enhanced assistance to applicants, as well as the Office of Clemency Investigations.

The Offices of Executive Clemency and Clemency Investigations studied the path of a clemency application from beginning to end identifying areas in need of improvement. This resulted in several areas of streamlined processes including: OEC obtaining court documents in advance of cases being sent to Clemency Investigations, scanning required investigative support documents and letters submitted by the applicant providing easy retrieval by the field investigator, and performing basic eligibility screening of all pending cases allowing investigators to focus primarily on eligible cases.

The call center has two designated staff members including one who speaks fluent Spanish and is available for translation and interpretation to the agency.

The Legislature passed HB 5303 which reassigned the responsibility for appointing capital clemency counsel from the courts to the Board of Executive Clemency. The Coordinator of the OEC facilitates and monitors this action.

Office of Clemency Investigations

The Office of Clemency Investigations is charged with investigating, reviewing, evaluating, and reporting to the Clemency Board in all types of clemency cases, including, but not limited to, the restoration of civil rights, restoration of alien status under Florida law, full pardons, firearm authority, commutations of sentence, remission of fines, and capital punishment cases. Clemency Investigations provides training, resource materials, and support to Field Services staff in all clemency matters.

General Clemency Investigations

Clemency Investigations, with the assistance of Field Services staff, provides daily investigative and research support to the Board. Field Services staff conducts confidential investigations on all applications that are referred to the Commission for investigation. The office conducts quality assurance reviews on each of these investigations, and all eligible cases are presented to the Board.

The office also conducts investigations on all Requests for Review for Commutation of Sentence applications, provides customer service to clemency applicants, and assists in the development of clemency data requests.

The type of clemency investigation primarily depends on the severity and nature of the offense and the form of clemency relief being sought. The Rules of Executive Clemency (Rules) provide detailed information regarding the list of offenses that determine the processing category. The depth and scope of each investigation vary by type and each has a different waiting period after completion of sentence.

Restoration of Civil Rights (RCR) investigations are classified as: *Without a Hearing* and *With a Hearing*. *Without a Hearing* investigations are those where offenders, depending on the offense of conviction, are eligible for consideration only after five years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions, if no crimes have been committed and if the applicant has not been arrested for a misdemeanor or felony for the five years prior to the date the application is being reviewed. *With a Hearing* investigations are those where offenders with more serious offenses are eligible for consideration only after seven years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions.

All *With a Hearing* investigations, including non-RCR, provide a broad picture of the applicant's history and activities, which assist the Board in making informed decisions. They include, but are not limited to: criminal convictions; history of adjustment to incarceration or supervision; criminal record; traffic record; payment of fines, court costs, public defender fees and victim restitution; history of domestic violence; alcohol and substance abuse

history; voter registration information; community reputation; as well as judicial, state attorney and victim input. The office conducts quality assurance reviews on each of these investigations and obtains the Commission's advisory recommendation for submission to the Board. Clemency applicants are mailed a copy of their investigative report prior to each scheduled Board meeting.

Capital Punishment Case Investigations

In capital punishment cases, by Rule, the Governor may direct the Commission to conduct an in-depth investigation. Clemency Investigations is responsible for coordinating the clemency interview of the death row inmate conducted by the Commission. The Capital Punishment Research Specialist researches the case history, including offense(s) of conviction, complete criminal record, institutional record, social and psychological information, co-defendant information, and trial and appellate court information.

They also coordinate with Field Services staff to conduct an investigation on the inmate and conduct interviews, if possible, with the trial attorneys who prosecuted and defended the inmate, the presiding judge, and the inmate's family. In addition, the Research Specialist works with the Attorney General's Office to allow victims of record to provide any comments to be included with the final report to the Board. Clemency Investigations compiles this information together with the Commissioner's findings and conclusions and provides it to the Board to assist in the consideration of a commutation of death sentence to life.

Office of Clemency Investigations Accomplishments: FY 2013-14

The Office of Clemency Investigations and Field Services reduced the number of pending *Without a Hearing* cases from 1,891 on July 1, 2013 to 956 on July 1, 2014.

Updated manuals for investigators conducting eligibility reviews and investigations; provided monthly teleconference training; and created two new resource tools for investigators to assist them in searching for court documents, case information, and clemency policies in other states.

Contact Information

General Information

Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, FL 32399-2450
www.fcor.state.fl.us

For general inquiries about the Commission, email publicaffairs@fcor.state.fl.us or call **(850) 922-0000**.

Clemency

For information regarding applications for restoration of civil rights; restoration of alien status under Florida law; pardons; commutation of sentence; remission of fines/forfeitures; and specific authority to own, possess or use firearms, please visit www.fcor.state.fl.us, call **toll-free (800) 435-8286** or **(850) 488-2952** or email clemencyweb@fcor.state.fl.us.

Victims' Services

For notification of inmate hearings and releases contact Victims' Services **toll-free (855) 850-8196** or **(850) 487-3259** or email victimsquestions@fcor.state.fl.us.

Inmate Supporters

Inmate supporters may call **toll-free (800) 335-3396** for information or **(850) 488-1293** to request to appear. To submit a statement of support, email inmatessupporter@fcor.state.fl.us.

Revocations

For inquiries relating to a recent revocation issue, please contact Revocations at **(850) 488-0611** or email revocations@fcor.state.fl.us.

Press Inquiries

All press inquiries regarding the Commission should be directed to the Communications office at **(850) 921-2816** or publicaffairs@fcor.state.fl.us.

Commissioners

Tena M. Pate	(850) 487-1980
Chair	FAX (850) 414-2627
Melinda N. Coonrod	((850) 487-1978
Vice Chair	FAX (850) 487-1220
Richard D. Davison ..	(850) 488-0476
Secretary	FAX (850) 414-6902

Division of Administration

Gina Giacomo	(850) 488-3415
Director	FAX (850) 487-1430
Jennifer Boswell	(850) 488-3417
Human Resources Administrator	FAX (850) 414-1915
Karen Huff	(850) 921-2815
Accounting and Budgeting Administrator	FAX (850) 488-6357

Office of Clemency Investigations

Stephen Hebert	(850) 487-1175
Director	FAX (850) 414-6903

Office of Communications

Molly Kellogg-Schmauch	(850) 921-2816
Director	FAX (850) 921-2827

Office of Executive Clemency

Julia McCall	(850) 488-2952
Coordinator	FAX (850) 488-0695

Office of General Counsel

Sarah Rumph	(850) 488-4460
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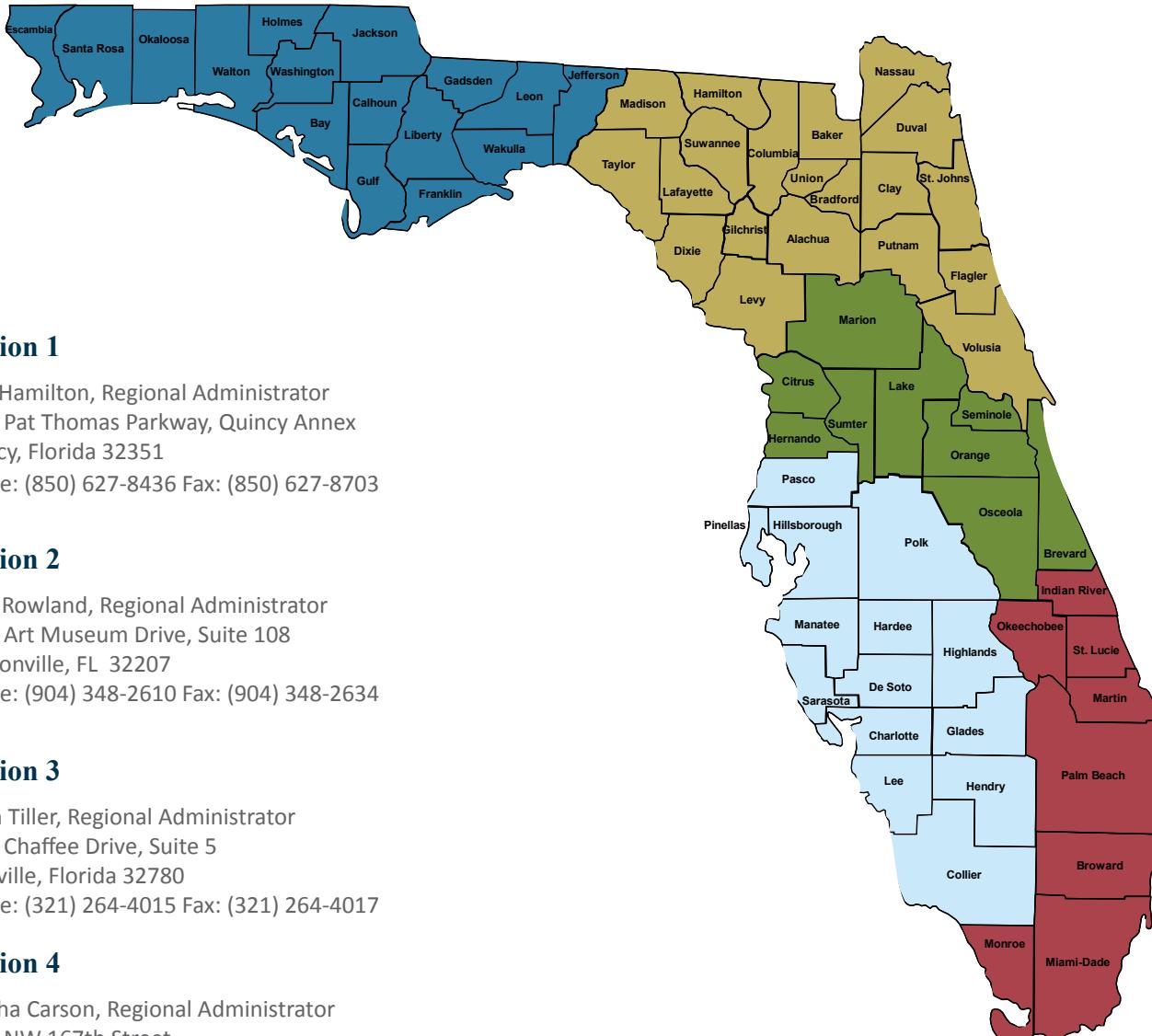
Office of Legislative Affairs

Peter Murray	(850) 921-2816
Director	FAX (850) 921-2827

Division of Operations

Shana Lasseter	(850) 922-6137
Director	FAX (850) 922-6510
Kim Dickey	(850) 488-0611
Revocations Supervisor	FAX (850) 488-7199
Daphne Asbell	(850) 487-3259
Victims' Services Supervisor	FAX (850) 921-8712
Kristin Lambert	(850) 488-1293
Office of the Commission Clerk	FAX (850) 414-6031
Supervisor	

Field Services Directory



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Region 2

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Region 3

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Region 4

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Phone: (305) 620-3737 Fax: (305) 628-6815

Region 5

Helen Williams-Lester, Regional Administrator
1313 North Tampa Street, Suite 310
Tampa, Florida 33602
Phone: (813) 233-2530 Fax: (813) 233-2553

Field Services

Field Services staff are responsible for carrying out the Commission's duties at a regional level including conducting administrative hearings for alleged violations of supervision; performing clemency investigations for the Board of Executive Clemency; conducting inmate interviews at the correctional facility and making appropriate recommendations; conducting investigations for parole release plans; and locating victims or the relatives of victims.



FLORIDA COMMISSION ON OFFENDER REVIEW

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