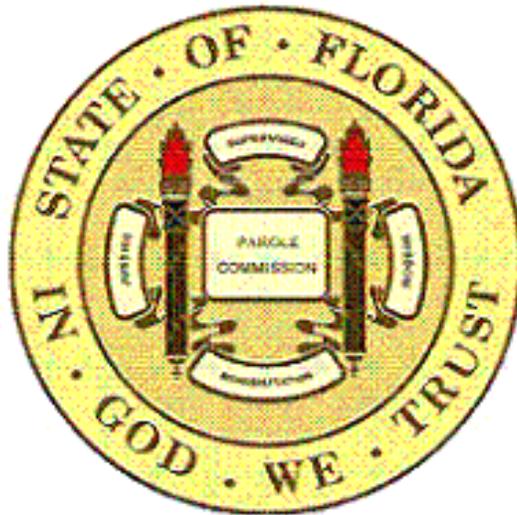


# FLORIDA PAROLE COMMISSION

A Governor and Cabinet Agency Created in 1941



*Long range program plan*  
*Prepared for the*  
*Office of Policy and Budget*

*Fiscal Year 2012-13*  
*through*  
*Fiscal Year 2016-17*

*Tena M. Pate, Chair*  
*September 30, 2011*



# *Florida Parole Commission*

*Tena M. Pate, Chair*

*Monica David, Vice Chair*

*(Vacant), Commissioner*

---

*Gina Giacomo, Director, Administration*  
*Jane Tillman, Director, Communications and Legislative Affairs*  
*Will Kendrick, Special Programs/Projects Supervisor*  
*Karen Huff, Budget & Accounting Administrator*

*4070 Esplanade Way*  
*Tallahassee, Florida 32399-2450*

---

## *The Florida Cabinet*



**Rick Scott**  
*Governor*



**Pam Bondi**  
*Attorney General*



**Jeff Atwater**  
*Chief Financial  
Officer*



**Adam Putnam**  
*Commissioner  
Agriculture & Consumer  
Services*

# **AGENCY MISSION AND GOALS**

## **MISSION STATEMENT**

### **To Ensure Public Safety and Provide Victim Assistance Through the Post Prison Release Process**

## **GOALS**

The Florida Parole Commission (hereinafter referred to as “Commission”) has five goals designed to provide for public safety and increased efficiency, while striving to meet the Commission’s approved performance measures and standards. The Commission’s goals are:

1. To select individuals appropriate for parole;
2. To ensure informed decision-making (Commission and Board of Executive Clemency, hereinafter referred to as “Board”);
3. To guarantee timely decisions;
4. To ensure informed decision-making (Board, Restoration of Civil Rights *Without a Hearing* cases, hereinafter referred to as “RCR”); and
5. To ensure informed decision-making (Board, RCR *With a Hearing* cases).

## **OBJECTIVES OF THE FLORIDA PAROLE COMMISSION**

**GOAL 1.** To select individuals appropriate for parole.

**OBJECTIVE 1A:** To identify individuals who will succeed as law-abiding citizens.

**GOAL 2.** To ensure informed decision-making (Commission and Board).

**OBJECTIVE 2A:** To provide complete and accurate information to the Commission on Parole, Conditional Medical, Conditional, Addiction Recovery, and Control Release decisions, and the Board on non-RCR<sup>1</sup> cases.

**GOAL 3.** To guarantee timely decisions.

**OBJECTIVE 3A:** To complete the revocation process within specific timeframes.

**GOAL 4.** To ensure informed decision-making. (Board, RCR *Without a Hearing* cases).

**OBJECTIVE 4A:** To ensure that eligibility determinations and investigatory information provided to the Board for Restoration of Civil Rights *Without a Hearing* cases contain no factual errors.

**GOAL 5.** To ensure informed decision-making. (Board, RCR *With a Hearing* cases).

**OBJECTIVE 5A:** To ensure that eligibility determinations and investigatory information provided to the Board for Restoration of Civil Rights *With a Hearing* cases contain no factual errors.

---

<sup>1</sup> Non-RCR: full pardon, pardon without firearm authority, pardon for misdemeanor, commutation of sentence, remission of fines and forfeitures, specific authority to own or possess firearms, requests for review, and capital case (death penalty) reviews.

## SERVICE OUTCOMES and PERFORMANCE PROJECTION TABLES

### GOAL ONE

**GOAL #1:** To select individuals appropriate for parole.

**OBJECTIVE 1A:** To identify individuals who will succeed as law-abiding citizens.

**OUTCOME:** Percent of parolees who have successfully completed their supervision without revocation within the first two years.

Baseline Year 99/00	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
90%	85%	85%	85%	85%	85%

The Commission **exceeded** its projected goal of 85%. There were 38 inmates paroled during the reporting period, with **35 or 92%** successfully completing their supervision without revocation within the first two years of release.

### GOAL TWO

**GOAL #2:** To ensure informed decision-making.

**OBJECTIVE 2A:** To provide complete and accurate information to the Commission on Parole, Conditional Medical, Conditional, Addiction Recovery, and Control Release decisions and to the Board on non-RCR cases.

**OUTCOME:** Percent of all cases placed before the Parole Commission and Clemency Board containing no factual errors.

Baseline Year 99/00	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
83%	98%	98%	98%	98%	98%

The Commission **exceeded** its projected goal of 98% by placing **99% of its cases before the Commission and the Board** with no factual errors in FY 2010-11.

### GOAL THREE

**GOAL #3:** To guarantee timely decisions.

**OBJECTIVE 3A:** To complete the revocation process within specific timeframes.

**OUTCOME:** Percent of revocation cases completed within 90 days of final hearing.

Baseline Year 1999/00	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
95%	99%	99%	99%	99%	99%

The Commission completed 1,363 revocation cases within 90 days after the final hearing for 99% in FY 2010-11. The Commission **achieved** its projected goal of **99%**.

### GOAL FOUR

**GOAL #4** To ensure informed decision-making.

**OBJECTIVE 4A:** To ensure that eligibility determinations and investigatory information provided to the Board for Restoration of Civil Rights *Without a Hearing* cases contain no factual errors.

**OUTCOME:** Percent of RCR *Without a Hearing* cases provided to the Clemency Board containing no factual errors.

Baseline Year 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
TBD	99%	99%	99%	99%	99%

The Commission requested this goal and performance measure in response to the Board amending the Rules of Executive Clemency (Rules) on March 9, 2011, which changed the policy governing the clemency process. Restoration of Civil Rights cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. The measure was approved by OPB in 2011 with FY 2011-12 determined to be the baseline year to begin the collection of this data.

## GOAL FIVE

**GOAL #5:** To ensure informed decision-making.

**OBJECTIVE 5A:** To ensure that eligibility determinations and investigatory information provided to the Board for Restoration of Civil Rights *With a Hearing* cases contain no factual errors.

**OUTCOME:** Percent of Restoration of Civil Rights *With a Hearing* cases provided to the Clemency Board containing no factual errors.

Baseline Year 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
TBD	99%	99%	99%	99%	99%

The Commission requested this goal and performance measure in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. Restoration of Civil Rights cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. The measure was approved by OPB in 2011 with FY 2011-12 determined to be the baseline year to begin the collection of this data.

### Linkage to Governor's Priorities

The Commission's Long Range Program Plan (LRPP) aims to commit the agency's existing resources to ensuring public safety for the citizens of this State in an effective and efficient manner. The Commission's highest priority is to ensure public safety. The Commission's goals 1-5 link to the Governor's priority #1, "Accountability Budgeting," and goals 1, 4, and 5 also link to the Governor's priority #2, "Reduce Government Spending." The Commission achieves this by selecting individuals for parole release who demonstrate rehabilitation and who have used their time in prison to get an education and learn skills so that when they are released into a community they can provide for themselves as well as provide for their families. Accurate clemency investigations and reports are accomplished through staff training and quality assurance measures, maximizing the Commission's resources and ensuring fiscal responsibility. Restoration of Civil Rights encourages individuals to become more responsible citizens within the community.

#### Governor's Priorities

##### #1 – Accountability Budgeting

**GOAL 1.** To select individuals appropriate for parole.

**GOAL 2.** To ensure informed decision-making (Commission and Board).

**GOAL 3.** To guarantee timely decisions.

**GOAL 4.** To ensure informed decision-making (RCR *Without a Hearing* cases).

**GOAL 5.** To ensure informed decision-making (RCR *With a Hearing* cases).

#2 – Reduce Government Spending

**GOAL 1.** To select individuals appropriate for parole.

**GOAL 4.** To ensure informed decision-making (RCR *Without a Hearing* cases).

**GOAL 5.** To ensure informed decision-making (RCR *With a Hearing* cases).

#3 – Regulatory Reform

#4 – Focus on Job Growth and Retention

#5 – World Class Universities

#6 – Reduce Property Taxes

#7 – Eliminate Florida’s Corporate Income Tax Over Seven Years

## TRENDS AND CONDITIONS STATEMENT

The purpose of the ***Post-Incarceration Enforcement and Victim Rights’ Program*** is:

- to provide victims and victims' families an opportunity to participate in the decision-making process of the Commission / Board;
- to set conditions for releasees to provide maximum assurance of public safety;
- to ensure swift and certain responses when offenders violate conditions of their supervision; and
- to provide accurate information to the Commission/Board.

The Florida Parole Commission’s LRPP for FY 2012-13 through FY 2016-17 is a five-year plan based on established and proposed goals and objectives. In the development of the LRPP, the Commission reviewed and evaluated the services and activities funded in the current year to determine their effectiveness and efficiency. In response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process, Restoration of Civil Rights cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. The Commission proposed 2 additional goals, objectives, and performance measures which were approved by the Clemency Board and the Office of Policy and Budget. The baseline year for the collection of data is FY 2011-12. These additional goals, objectives, and performance measures will provide an enhanced framework for the agency’s clemency portion of its Legislative Budget Request (LBR) and provide a snapshot of the Commission’s current clemency activity status, its desired goals, and the plan for achieving them.

The Parole Commission as it exists today has many diverse duties. Originally created in 1941, the Commission is a constitutionally authorized decision-making body created by law. Article IV, Section 8 of the Florida Constitution, provides that there may be created by law “a parole and probation commission” with the power to supervise persons on probation and grant paroles or conditional releases to persons under sentences for crime (section 20.32, Florida Statutes). Since that time, the Legislature has added the administration of conditional release,

conditional medical release, control release, and addiction recovery supervision to the Commission's primary duties and responsibilities.

These diverse functions provide the means for fulfilling the Florida Parole Commission's public safety duties: to protect the public by administering parole; conditional, conditional medical, and control release; and addiction recovery supervision. In accordance with statutes and case law, maintaining control over this criminal population is contingent upon the attentive and timely performance of a host of reviews, investigations, and hearings. Many of the services provided are aimed at controlling offenders during the post-incarceration phase of their sentences and to facilitate their transition back into society. However, if the releasee fails to abide by the terms and conditions of his/her supervision, the Commission takes a swift and certain response appropriate to the violation by means of the revocation process.

The Commission also acts as the *investigative arm* of the Governor and Cabinet, sitting as the Board of Executive Clemency, and provides administrative support in all clemency matters, including the RCR process. 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 in Florida; restoration of alien status under Florida law; and Capital Case (death penalty) reviews.

### ***Victim Services***

Victim assistance is a major tenet of the Parole Commission's mission and one considered vitally important when serving the public. Article I, Section 16(b) of Florida's Constitution, and sections 947.06 and 960.001, Florida Statutes, address the need to protect the rights of victims of crime and the need for victims' input in the criminal justice process. Victims' Services provides direct, personal assistance to crime victims and their families and assures their opportunity to participate in the parole process.

Victims Services' staff strive to reduce victimization through education and by providing and fostering an environment of compassion, dignity, and respect. They use this platform to: inform victims of their right to be heard and participate in the parole and clemency processes; educate victims about the parole and clemency processes; provide advance notice to victims of upcoming parole and clemency proceedings; personally greet victims; provide a separate waiting area; and accompany them during the hearing. A toll-free telephone number also is available for support or information before, during, and after the hearing process.

On June 30, 2011, there were 36,384 clemency cases pending, with most requiring victim input. Further, there are approximately 5,360 inmates currently parole eligible whose cases require victim input.

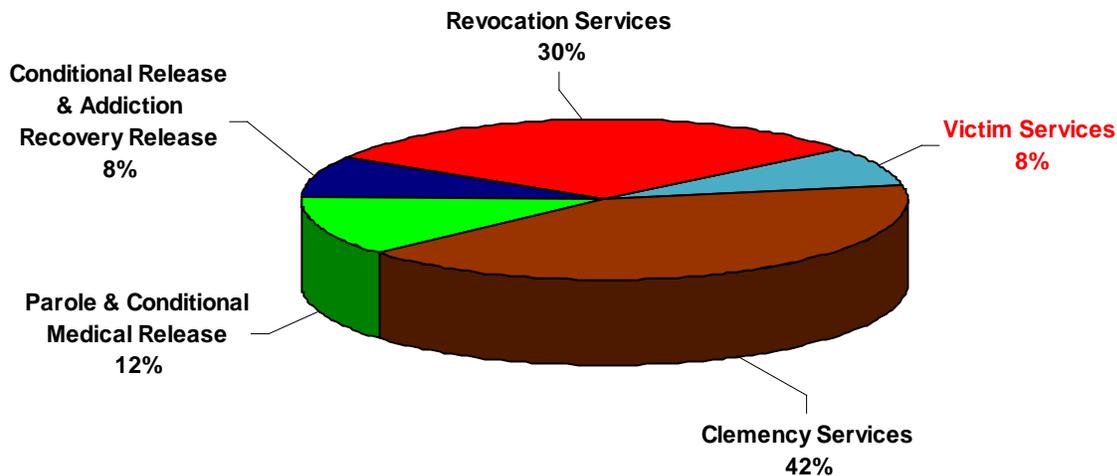
Victim input plays a critical role in helping the Commission to make informed decisions. Due to the nature of our case load, great effort must be spent trying to locate victims, many of whom have relocated, changed their names through marriage, or have been out of contact with the criminal justice system for many years. Having trained, professional staff to assist victims of

violent crimes ensures that a victim's rights are protected and they are not subjected to further victimization as a result of a parole hearing or clemency hearing. Currently, there are two (2) staff exclusively dedicated to victims' services, of which one (1) is primarily a grant-funded position. Therefore, the Commission is requesting one (1) Victims' Services FTE in its Legislative Budget Request for FY 2012-13 to continue our commitment to ensuring public safety.

During the 2010 Florida Legislative Session, SB 200, a victim-friendly bill introduced by Senators Carey Baker and John Thrasher, was passed and became law on July 1, 2010 (Chapter No. 2010-95). The new law amended sections 947.16, 947.174, and 947.1745, Florida Statutes, giving the Commission authority to increase the interval between parole consideration re-interviews to 7 years for parole-eligible offenders who were convicted of murder, attempted murder, sexual battery, or attempted sexual battery, or who are serving a 25-year minimum mandatory sentence under section 775.082, Florida Statutes.

For the 2012 Legislative Session, the Commission is proposing legislation that will set an extended length of time between re-interviews for persons convicted of kidnapping or convicted of robbery, burglary, or breaking and entering in which a human being was present and a sexual act is attempted or completed. For victims and their families, reduction of the frequency of an opportunity for parole should lessen the trauma, stress, and financial burden associated with the potential release of an offender.

### ***Request for Fifth Activity***



Victims' Services is a critical part of the Commission's core mission and priorities. The Commission currently has one program and four approved budget activities. The four budget activities are: Conditional Release, Offender Revocation, Clemency Services, and Parole

Determinations. The Commission is requesting that the Legislature and the Office of Policy and Budget (OPB) within the Governor's Office approve a fifth activity, Victims' Services. At the present time, victims' services comprise 8% of the Commission's workload and are distributed among the existing four activities. Central and field office staff provided 18,547 victim assists during FY 2010-11.

This fifth activity links to seven (7) of the Commission's approved performance measures. By creating this new activity, the Commission will be able to provide a unit cost for the work performed by both central and field office staff.

### ***Parole***

The Commission administers parole (Chapters 947, 948, and 949, Florida Statutes), a discretionary prison release, which allows an inmate who has been granted parole to serve the remainder of his/her 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 the parolee's progress through supervision reviews, takes a swift and certain response appropriate to a violation of supervision, and conducts revocation hearings. If the parolee is found to have violated the term and conditions of his/her supervision, then the Commission restores the offender to supervision or revokes the supervision and returns the parolee to prison.

With the implementation of sentencing guidelines in October 1983, parole was abolished and remained applicable for: inmates who elected to be sentenced outside the guidelines prior to July 1, 1984; inmates convicted of committing either first degree murder or making, possessing, throwing, projecting, placing or discharging any destructive device or attempting to do so if the act resulted in the death of another person prior to May 25, 1994; and inmates who committed all other capital felonies prior to October 1, 1995. Capital felonies require a minimum mandatory service of 25 years before becoming eligible for an initial parole interview. Some inmates will not be eligible for consideration until the year 2020 or beyond. Currently, there are 5,360 inmates who are eligible for parole and 439 persons on parole supervision.

With 35 of 38 paroled inmates successfully completing their supervision without revocation within the first two years of release, the Commission exceeded its projected goal of 85% for FY 2010-11 with a 92% success rate.

### ***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. This program is a non-discretionary release program 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 sentenced as a habitual offender,

violent habitual offender, violent career criminal, or sexual predator. Unlike parole, conditional release is not a discretionary release.

Upon release from prison, inmates who are subject to conditional release are supervised for a period of time equal to the gain-time that they received in prison. These offenders are subject to strict conditions of supervision set by the Commission. The Commission monitors their progress through supervision reviews, conducts revocation hearings, and takes swift and certain appropriate response, up to and including return to prison, for any violations of supervision. On July 8, 2011, there were 1,716 inmates on conditional release supervision, and in FY 2010-11 the Commission placed 5,074 offenders on conditional release supervision.

### ***Alternative Sanctions***

Offenders can violate their supervision either by committing a new crime (felonies or misdemeanors) or by a technical violation.

A “technical” violation is behavior by an offender under supervision that is not by itself a criminal offense. Failing to report for a scheduled office visit, missing a curfew, testing positive for drug or alcohol use, or contacting a victim or co-defendant are all examples of technical violations. Technical violations also include, but are not limited to, absconding from supervision, leaving the state or county without permission, changing residence or employment without permission, associating with persons engaged in criminal behaviors, entering or frequenting an establishment whose primary purpose is the sale or consumption of alcoholic beverages, failing to attend substance abuse treatment or batterers’ intervention treatment programs, or failing to pay costs or restitution. There must be a determination that the violation was *willful and substantial* before the Commission may take any action.

Currently, section 947.141(4), Florida Statutes, allows the Commission to impose an alternative sanction by placing a releasee, upon a finding of a technical violation, into a local county detention facility as a condition of supervision *not to exceed 22 months*. The Commission can only place an offender in the detention facility as an alternative sanction if there is a contractual agreement between a county and the Department for the housing of offender/inmates. At this time, the Commission is unable to implement this provision because there are no contractual agreements between counties and the Department for the housing of offenders who violate their supervision under the jurisdiction of the Commission. Therefore, the Commission’s only recourse is to either restore the offender to supervision in the community or revoke supervision and place the offender back in prison to serve the remainder of his/her sentence, which could be an extensive period.

### ***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. Once released, the offender is subject to conditions of supervision set by the Commission. The Commission monitors their progress through periodic medical reviews and conducts revocation hearings when violations are reported. This supervision can be revoked and the releasee returned to prison if the Commission determines that a violation of supervision has occurred. The Commission also may return the releasee to custody due to improvement in the medical or physical condition of the releasee.

The Department is charged with the responsibility of recommending to the Commission cases to be considered for conditional medical release. Under current law, inmates granted conditional medical release must remain under supervision for the balance of their sentence. For the past three years, the Department has recommended 84 inmates for release, with the Parole Commission granting a release to 45, or 54%, of those recommended for release. In FY 2010-11, the Department recommended 30 inmates for a conditional medical release with 16 being granted, or 53%.

### ***Addiction Recovery Supervision***

In 2001, the Florida Legislature created the Addiction Recovery Supervision Program (section 944.7431, Florida Statutes) 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 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. If released, the offender is subject to strict conditions of supervision set by the Commission. The Commission monitors the releasee’s progress and conducts revocation hearings when violations are reported. If the releasee is found to have violated the terms and conditions of supervision, then the Commission may return the releasee to prison.

The program is fully operational and the first offender eligible for the program was released from prison in June 2002. During FY 2010-11, 1,642 offenders were placed in the program. As of July 8, 2011, there were 43 offenders on addiction recovery supervision.

### ***Control Release***

In 1989, the Florida Legislature created the Control Release Authority (section 947.146, Florida Statutes) with the members of the Parole Commission acting as the release authority. When active, the Commission sitting as the Control Release Authority is utilized as a prison population management tool to keep the prison population at less than 99% of the 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 violations are reported. This supervision can be revoked and the releasee returned to prison if the Commission determines that a violation of supervision has occurred.

## ***Clemency***

The Commission operates as the administrative and investigative arm of the Board of Executive Clemency with the Governor and members of the Cabinet sitting as the Board. Clemency is a constitutionally authorized process that provides the means through which convicted felons may be considered for relief from punishment and seek restoration of their civil rights. 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 in Florida; restoration of alien status under Florida law; and Capital Case (death penalty) reviews.

In Florida, when a person is convicted of a felony, he/she loses the right to vote, sit on a jury, hold public office, and possess a firearm. The clemency process administered by the Commission provides the means through which the offender may have some or all of his/her rights restored. The clemency process also provides a means by which an offender may be considered for relief from punishment. Persons seeking or being considered today for clemency relief are either incarcerated, released from a correctional facility, or have completed his/her term of supervision. Should an individual not meet the eligibility criteria for commutation of sentence as set forth in the Rules, he/she may file a *Request for Review*.

The type of clemency investigation conducted by the Commission primarily depends on the severity and nature of the offense and the form of clemency relief being sought. The Commission's website provides detailed information regarding the list of offenses that determine the category in which a case will be processed. The depth and scope of each investigation varies by type, and each type has a different waiting period after completion of sentence.

The Commission's staff assist the Board in the orderly processing of matters placed before the Board for consideration and Board action. Commission staff conduct comprehensive, confidential investigations for the Board for applicants seeking one or more of the various forms of clemency relief utilizing records and databases of state and federal courts, and multiple criminal justice agencies. The referral, assignment, and approval of all cases processed by the Commission are generated and managed by the clemency database. These detailed investigations provide a broad picture of the applicant's history and activities, which assist the Board in making informed decisions.

Individuals seeking any form of clemency must submit an application and required court documents to the Office of Executive Clemency. Information is also available on the clemency public website <https://fpc.state.fl.us/Clemency.htm> including application forms and instructional sheets. Individuals also may check to see whether their rights have been granted. If granted, a copy of the certificate may be printed. A certificate granting the restoration of a person's civil rights and a voter registration application are mailed to the individual. If found ineligible, a letter is sent explaining how the person may proceed. The Commission provides the Board's action to the Florida Department of State on a bi-weekly basis so that it may use the information for verification purposes with the Central Voter Registration Database.

### ***Clemency Rules Amended March 9, 2011***

On March 9, 2011, the Board amended the Rules and significantly changed the policy governing the clemency process. The amended Rules were effective immediately and applied to all pending clemency applications/investigations. These changes resulted in the redesign of the application, related instructional information, and website content. The Board stated their action was based on their belief that it is appropriate to grant restoration of civil rights only to individuals who have demonstrated over a period of time that they are committed to living a crime-free life. The Board reasoned that this waiting period provides them the opportunity to determine whether, in fact, the person has made that commitment. Under the amended Rules, felons seeking to have their rights restored must complete a five (5) or seven (7) year waiting period to become eligible.

Restoration of Civil Rights cases are now classified as follows: *Without a Hearing* (Rule 9.A.) and *With a Hearing* (Rule 10.A.). *Without a Hearing* investigations are those where offenders are eligible for consideration only after five (5) years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions, and if no crimes have been committed and have not been arrested for a misdemeanor or felony for the five (5) years prior to the date the application is being reviewed. *With a Hearing* investigations are those where offenders are eligible for consideration only after seven (7) years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions.

The amended Rules still require the non-RCR clemency cases to be completed under a lengthy investigative procedure, averaging 13.8 hours per case.

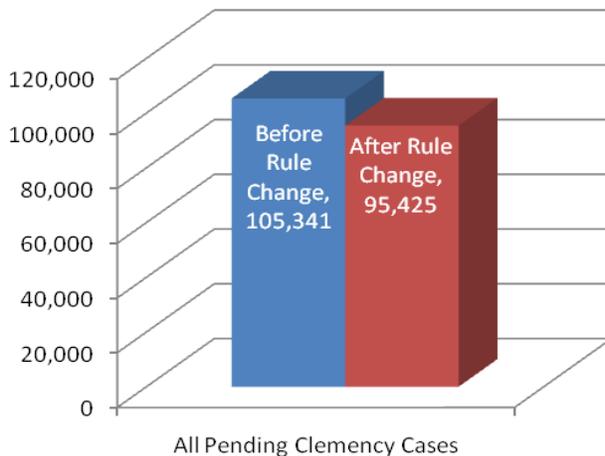
Under the previous rules, requests for restoration of civil rights did not require the submission of court documents. The new guidelines require specific court documents to be submitted by the applicant for each conviction to be considered. Under the previous Rules, individuals who did not meet the time requirements for pardons, firearm authority, and commutations of sentence were permitted to request a hearing for consideration by the Board to waive the time constraints. This Waiver of the Rules' process was discontinued for pardons and firearm authority. The waiver process has been renamed "Request for Review," which is only for commutations of sentence.

### ***Impact of 2011 Amended Rules***

While the amended Rules resulted in a reduced number of cases being received annually by the Commission, the changes resulted in an increase in the amount of staff time needed to complete investigations for cases now considered eligible under the amended Rules. RCR *Without a Hearing* and RCR *With a Hearing* investigations require 5.1 or 13.8 hours of staff time to complete.

Prior to the amendment of the Rules, the majority of all pending RCR cases were identified as Level 1 reviews, which took an average of just under an hour to complete per case. However, these cases were eliminated under the amended Rules. All former Level 1 pending cases either have been or will be determined ineligible by timeframes and closed, or have been converted to *With or Without a Hearing* cases. RCR *Without a Hearing* and RCR *With a Hearing* investigations require 5.1 or 13.8 hours of staff time to complete, respectively. It should be noted that the two (2) classifications of RCR clemency cases take the same amount of time to complete as before; however, with the elimination of the “automatic” cases, which involved a shorter processing time, all cases now are required to be completed under the lengthier investigative process.

There were 95,425 pending clemency cases as of July 1, 2011. To complete the pending clemency cases in one year, the Commission would need 192 FTEs. It would take existing staff five (5) years to complete the current pending cases.

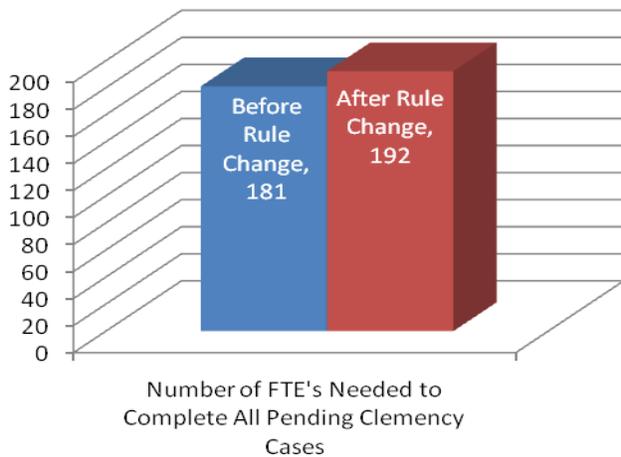
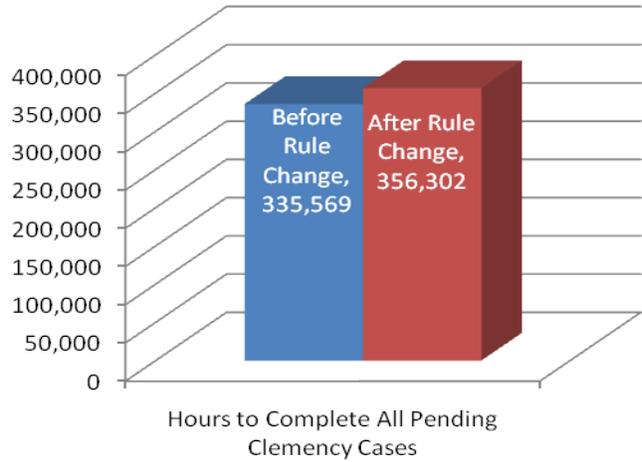


The Rules of Executive Clemency were amended on March 9, 2011. There were approximately 105,341 pending clemency cases as of March 1, 2011.

After the rule changes, there were 95,425 pending clemency cases as of July 1, 2011.

Before the Rules of Executive Clemency were amended, it would take approximately 335,569 hours to complete 105,341 pending clemency cases as of March 1, 2011.

After the rules changes, it would take approximately 356,302 hours to complete 95,425 pending clemency cases as of July 1, 2011.



Before the Rules of Executive Clemency were amended, 181 FTEs were required to complete 105,341 pending clemency cases as of March 1, 2011.

After the rules changes, 192 FTEs are required to complete 95,425 pending clemency cases as of July 1, 2011.

In addition to the pending cases, the Commission is projected to receive 4,725 clemency cases during FY 2011-12.

The Commission is requesting ten (10) additional clemency positions in its Legislative Budget Request for FY 2012-13. Recognizing the State's continuing budgetary constraints and the Commission's current office space, the workload drives this request. These ten (10) positions will complete 3,635 RCR Without a Hearing cases annually, which will positively impact the pending clemency investigation workload.

## GOAL ONE

The Commission's first goal is to select individuals for parole who will succeed as law-abiding citizens. When determining whether to release an inmate on parole, the Commission conducts a thorough review of the inmate's record.

The Commission reviews not only the circumstances and seriousness of the offense, but also the inmate's prior criminal record, previous education, employment history, risk assessment evaluations, disciplinary record in prison, substance abuse history and any other information that would impact a release decision. Commission parole examiners interview the inmate at the prison, review the complete institutional record and the inmate's release plan, and provide the Commission with an investigative report. Mental health records are provided upon request by the Department.

When considering parole, the Commission must make a finding that there is a reasonable probability that the inmate will be law-abiding, will not become a public charge, and that his/her release will be compatible with his/her own welfare and the welfare of society. The Commission sets the term and the conditions of supervision for those released on parole. The conditions of supervision are intended to facilitate the parolee's successful reintegration into society and protect the public. The inmate must agree to the terms and conditions of supervision in order to be paroled. If the parolee violates the conditions of supervision, the Commission may revoke that supervision and return the parolee to prison or take other appropriate action. While the Commission granted parole to 35 inmates in FY 2010-11, the Commission made 1,043 parole decisions.

The Commission also furthers this goal through the analysis of parole revocations data to identify common factors among this population of offenders that may have contributed to their inability to successfully transition into the community. This information aids the Commission in making future parole decisions and in assisting correctional probation officers in supervising parolees.

In FY 2008-09 and 2009-10, there were 38 inmates paroled; with 35 inmates, or 92%, successfully completing their supervision without revocation within the first two years of release. In FY 2010-11, the Commission **exceeded** its projected goal of **85%**.

## GOAL TWO

The Commission's second goal is to ensure informed decisions are made by placing cases before the Commission and Board that have no factual errors. The objective of this goal is to ensure that the Commission and Board have the most complete and accurate information upon which to base their decisions. "Complete information" means that staff has obtained or attempted to obtain all relevant information necessary for the Commission or Board to make an informed decision. "Accurate information" means that the information presented has been verified or there is a statement in the report or investigation as to the reason the information could not be

verified. “Factual errors” are defined as an omission of information or reporting incorrect information. These errors do not include typographical errors. The types of cases reviewed for errors include non-RCR clemency investigations, cases considered for release, and revocation hearings. The Commissioners and the Board identify errors in the reports and investigations for the various types of cases reviewed. These errors are tabulated and expressed as a percentage of the total number of cases that are placed before the Commission and the Board. By providing complete and accurate information, the Commission and the Board are able to make informed, accurate decisions. Targeting the error rate through performance measures allows the Commission to thoroughly evaluate errors and improve the release, revocation, and non-RCR clemency process.

This goal remains a high priority of the agency because the Commission and Board are ultimately decision-making bodies. The information provided to them by staff forms the basis of their decisions. Accordingly, their effectiveness as decision-makers is directly related to, or dependent in large part upon, the completeness and accuracy of the information provided.

The Commission addresses this priority by establishing clear policies and procedures, providing training, and completing quality assurance (QA) reviews. This ensures that staff produces a quality work product by having the Commission provide clear direction as to what is expected in the performance of their duties. Training provides detailed instruction on the correct procedures that must be followed when acting as a Hearing Officer in revocation proceedings or when acting as an investigator on a clemency case. The quality assurance reviews are conducted by regional administrators, supervisors, and central office staff.

The percent of cases placed before the Commission/Board containing no factual errors for FY 2010-11 was 99%. The Commission **exceeded** its goal of **98%**.

### **GOAL THREE**

The Commission’s third goal is guaranteeing timely decisions by ensuring that once the final revocation hearing has been held, the Commission will render its decision within 90 days. In FY 1999-00, the baseline percentage of revocation cases voted within 90 days was 95%. In FY 2010-11, the percentage remains high at 99%. The Commission **achieved its goal** and will strive to maintain this high level of performance.

### **GOALS FOUR AND FIVE**

The Commission’s new Goals Four and Five focus on ensuring informed decisions are made by placing RCR cases before the Board containing no factual errors. The Commission requested these goals and performance measures in response to the Board amending the Rules on March 9, 2011 which changed the policy governing the clemency process. Restoration of Civil Rights cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations.

The objective of these goals is to ensure that the Board has the most complete and accurate information with which to base their decisions pertaining to restoration of civil rights. “Complete information” means that staff has obtained or attempted to obtain all relevant information necessary for the Board to make an informed decision. “Accurate information” means that the information presented has been verified or there is a statement in the report or investigation as to the reason the information could not be verified. “Factual errors” are defined as an omission of information, reporting incorrect information, or incorrectly determining eligibility. These errors do not include typographical errors.

The Commission acknowledges the significance and importance of the RCR process and providing quality investigative reports. Utilizing performance measures allows the Commission to evaluate the error rate of RCR cases and to improve the process.

Errors are identified in Executive Orders and investigations for the various types of RCR cases reviewed. These errors are tabulated and expressed as a percentage of the total number of RCR cases that are placed before the Board. By providing complete and accurate information, the Board can make informed, accurate decisions.

The Commission addresses this priority by establishing clear policies and procedures, providing training, completing quality assurance (QA) reviews, and holding monthly RCR teleconferences. This ensures that staff produces a quality work product by having the Commission provide clear direction as to what is expected in the performance of their duties. Training provides detailed instruction on the Rules and the correct procedures when conducting a clemency investigation. The QA reviews are conducted by regional administrators, supervisors, and central office staff. Monthly statewide clemency teleconferences address questions from the field staff, discuss policies and procedures, and allow Clemency Investigations staff the opportunity to discuss any relevant issues.

These two performance measures, the percent of RCR *Without a Hearing* cases provided to the Board containing no factual errors and the percent of RCR *With a Hearing* cases provided to the Board containing no factual errors, were approved by OPB in 2011, with FY 2011-12 determined to be the baseline year to begin the collection of this data.

# **FLORIDA PAROLE COMMISSION**

## **PERFORMANCE MEASURES AND STANDARDS LRPP EXHIBIT II**

## LRPP Exhibit II - Performance Measures and Standards

Department: Florida Parole Commission		Department No.: 78000000		
Program: Post-Incarceration Enforcement and Victims Rights		Code: 78010000		
Service/Budget Entity:		Code:		
Approved Performance Measures for FY 2011-12	Approved Prior Year Standard FY 2010-11	Prior Year Actual FY 2010-11	Approved Standards for FY 2011-12	Requested FY 2012-13 Standard
Number of parolees who have successfully completed their supervision without revocation within the first two years.	20	35	20	20
Percent of parolees who have successfully completed their supervision without revocation within the first two years.	85%	92%	85%	85%
Percent of revocation cases completed within 90 days after final hearing.	99%	99%	99%	99%
Percent of cases placed before the Parole Commission / Clemency Board containing no factual errors.	98%	99%	98%	98%
Number of conditional release/addiction recovery cases handled.	5,597	8,095	5,597	5,597
Number of revocation determinations.	2,000	1,772	2,000	2,000
Number of clemency cases completed.	65,000	30,565	12,000*	12,000*
Number of parole release decisions.	1,374	1,403	1,374	1,374
Number of victims assisted.	15,000	18,547	15,000	15,000
Percent of Level I application RCR automatic cases placed on executive orders to the Clemency Board containing no factual errors.	99%	100%	N/A**	N/A**
Percent of Level I RCR automatic cases placed on executive orders to the Clemency Board containing no factual errors.	99%	100%	N/A**	N/A**
Percent of Level II RCR automatic cases placed on executive orders to the Clemency Board containing no factual errors.	99%	100%	N/A**	N/A**
Percent of Level III RCR automatic cases placed on executive orders to the Clemency Board containing no factual errors.	99%	99%	N/A**	N/A**
Percent of RCR <i>With</i> a Hearing cases provided to the Clemency Board containing no factual errors.	N/A	N/A	99%***	99%***
Percent of RCR <i>Without</i> a Hearing cases provided to the Clemency Board containing no factual errors.	N/A	N/A	99%***	99%***

\* This number has been approved by OPB and revised to 12,000 for FY 2011-12 approved standards.

\*\* The Commission requested these four performance measures be deleted in response to the Board of Executive Clemency amending the Rules of Executive Clemency on March 9, 2011. OPB has approved the measures to be deleted.

\*\*\* The Commission requested these new performance measures in response to the Board of Executive Clemency amending the Rules of Executive Clemency on March 9, 2011. OPB has approved the measures and established the goal of 99% for FY 2011-12 approved standards.

# **FLORIDA PAROLE COMMISSION**

## **ASSESSMENT OF PERFORMANCE FOR APPROVED PERFORMANCE MEASURES**

### **LRPP EXHIBIT III**

**LRPP Exhibit III (1): PERFORMANCE MEASURE ASSESSMENT**

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Number of revocation determinations.

**Action:**

- |   |  |
|---|--|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure           | <input type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards                    |  |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
2,000	1,772	(-228)	12%

**Factors Accounting for the Difference:**

**Internal Factors** (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Personnel Factors                                   | <input type="checkbox"/> Staff Capacity              |
| <input type="checkbox"/> Competing Priorities                                | <input type="checkbox"/> Level of Training           |
| <input type="checkbox"/> Previous Estimate Incorrect                         | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem         |  |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission |  |

**Explanation:** Reducing the number of offenders returning back to prison is a positive result.

**External Factors** (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Resources Unavailable                               | <input type="checkbox"/> Technological Problems      |
| <input type="checkbox"/> Legal/Legislative Change                            | <input type="checkbox"/> Natural Disaster            |
| <input type="checkbox"/> Target Population Change                            | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem         |  |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission |  |

**Explanation:** The Department of Corrections is reporting less violations of supervision, which has caused a decrease in the number of revocations.

**Management Efforts to Address Differences/Problems** (check all that apply):

- |                                    |  |
|------------------------------------|--|
| <input type="checkbox"/> Training  | <input type="checkbox"/> Technology                  |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

**Recommendation:** Reducing the number of offenders returning back to prison is a positive result.

**LRPP Exhibit III (2): PERFORMANCE MEASURE ASSESSMENT**

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Number of Clemency Cases Completed.

**Action:**

- |   |  |
|---|--|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure           | <input type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards                    |  |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
65,000	30,565	34,435	-47%

**Factors Accounting for the Difference:**

**Internal Factors** (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Personnel Factors                                   | <input type="checkbox"/> Staff Capacity              |
| <input checked="" type="checkbox"/> Competing Priorities                     | <input type="checkbox"/> Level of Training           |
| <input type="checkbox"/> Previous Estimate Incorrect                         | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem         |  |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission |  |

**Explanation:** Under competing priorities, the Commission is required by law to meet mandated statutory timeframes which dictates the Commission's workload priorities as clemency does not have delineated statutory timeframes.

**External Factors** (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Resources Unavailable                               | <input type="checkbox"/> Technological Problems      |
| <input type="checkbox"/> Legal/Legislative Change                            | <input type="checkbox"/> Natural Disaster            |
| <input type="checkbox"/> Target Population Change                            | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem         |  |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission |  |

**Explanation:** The Board amended the Rules on March 9, 2011. Prior to these Rule changes, the majority of RCR Without a Hearing cases took .9 hours to complete. These cases were eliminated by the Rule change. Under the amended Rules, RCR cases take longer to complete. RCR cases Without a Hearing take 5.1 hours and RCR cases With a Hearing take 13.8 hours to complete. This will result in a decrease in the number of RCR cases completed.

**Management Efforts to Address Differences/Problems** (check all that apply):

- |                                    |  |
|------------------------------------|--|
| <input type="checkbox"/> Training  | <input type="checkbox"/> Technology                  |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

**Recommendations:** OPB has approved the standard of 12,000 cases for FY 2011-12.

# **FLORIDA PAROLE COMMISSION**

## **PERFORMANCE MEASURES VALIDITY AND RELIABILITY LRPP EXHIBIT IV**

## LRPP EXHIBIT IV (1): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of RCR *Without a Hearing* cases provided to the Clemency Board containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. The measure was approved by OPB in 2011 with a standard of 99%, with the baseline to be determined in FY2011-12.

### **Data Sources and Methodology:**

The Commission's clemency database will be used to obtain the total number of cases completed. The methodology is the total number of errors divided by the total number of RCR *Without a Hearing* cases provided to the Board.

### **Validity:**

This indicator is a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

## LRPP EXHIBIT IV (2): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of RCR *With a Hearing* cases provided to the Clemency Board containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. The measure was approved by OPB in 2011 with a standard of 99%, with the baseline to be determined in FY2011-12.

### **Data Sources and Methodology:**

The Commission's clemency database will be used to obtain the total number of cases completed. The methodology is the total number of errors divided by the total number of RCR *With a Hearing* cases provided to the Board.

### **Validity:**

This indicator is a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

### LRPP EXHIBIT IV (3): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of Level I automatic application cases placed on executive orders to the Clemency Board containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure be deleted in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. This measure was approved to be deleted by OPB in 2011.

**Data Sources and Methodology:**

The Commission's clemency database was used to obtain the total number of cases completed. The methodology was the total number of errors divided by the total number of Level 1 automatic application cases placed on Executive Order to the Board.

**Validity:**

This indicator was a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

## LRPP EXHIBIT IV (4): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of Level I automatic electronic cases placed on Executive Orders to the Clemency Board containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure be deleted in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. This measure was approved to be deleted by OPB in 2011.

### **Data Sources and Methodology:**

The Commission's clemency database was used to obtain the total number of cases completed. methodology was the total number of errors divided by the total number of Level 1 automatic electronic cases placed on Executive Order to the Board.

### **Validity:**

This indicator was a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

## LRPP EXHIBIT IV (5): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of Level II cases provided to the Clemency Board on Preliminary Review List containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure be deleted in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. This measure was approved to be deleted by OPB in 2011.

### **Data Sources and Methodology:**

The Commission's clemency database was used to obtain the total number of cases completed. The methodology was the total number of errors divided by the total number of Level II cases provided to the Board on Preliminary Review List containing no factual errors.

### **Validity:**

This indicator was a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

## LRPP EXHIBIT IV (6): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of Level III cases provided to the Clemency Board for hearing containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure be deleted in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. This measure was approved to be deleted by OPB in 2011.

### **Data Sources and Methodology:**

The Commission's clemency database was used to obtain the total number of cases completed. The methodology was the total number of errors divided by the total number of Level III cases provided to the Board for a hearing containing no factual errors.

### **Validity:**

This indicator was a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

# **FLORIDA PAROLE COMMISSION**

## **ASSOCIATED ACTIVITIES CONTRIBUTING TO PERFORMANCE MEASURES**

### **Exhibit V**

**LRPP Exhibit V: Identification of Associated Activity Contributing to Performance Measures**

<b>Measure Number</b>	<b>Approved Performance Measures for FY 2011-2012</b>		<b>Associated Activities Title</b>
1	Number of parolees who have successfully completed their supervision without revocation within the final two years.		(1) Offender Revocations (2) Parole Determinations
2	Percentage of parolees who have successfully completed their supervision without revocation within the final two years.		(1) Offender Revocations (2) Parole Determinations
3	Percentage of revocation cases completed within 90 days after final hearing.		(1) Offender Revocations
4	Percentage of cases placed before the Parole Commission/Clemency Board containing no factual errors.		(1) Offender Revocations (2) Parole Determinations (3) Clemency Services (4) Conditional Release
5	Number of conditional release/addiction recovery cases handled.		(1) Conditional Release
6	Number of revocation determinations.		(1) Offender Revocations
7	Number of Clemency Cases completed.		(1) Clemency Services
8	Number of Parole Release Decisions.		(1) Parole Determinations
9	Number of Victims Assisted.		(1) Clemency Services (2) Parole Determinations
10	Percent of RCR With a Hearing cases provided to the Clemency Board containing no factual errors.		(1) Clemency Services
11	Percent of RCR Without a Hearing cases provided to the Clemency Board containing no factual errors.		(1) Clemency Services

PAROLE COMMISSION	FISCAL YEAR 2010-11			
SECTION I: BUDGET	OPERATING			FIXED CAPITAL OUTLAY
TOTAL ALL FUNDS GENERAL APPROPRIATIONS ACT			8,206,191	0
ADJUSTMENTS TO GENERAL APPROPRIATIONS ACT (Supplementals, Vetoes, Budget Amendments, etc.)			145,653	0
FINAL BUDGET FOR AGENCY			8,351,844	0
SECTION II: ACTIVITIES * MEASURES	Number of Units	(1) Unit Cost	(2) Expenditures (Allocated)	(3) FCO
Executive Direction, Administrative Support and Information Technology				
CONDITIONAL RELEASE/ Number of Conditional & Addiction Recovery Release Cases Handled	8,095	89.05	720,883	
OFFENDER REVOCATIONS/Number of Revocation Determinations	1,772	1,356.06	2,402,943	
CLEMENCY SERVICES/Number of clemency cases handled	30,565	114.13	3,488,354	
PAROLE DETERMINATIONS/Number of parole/conditional medical release decisions	1,403	1,027.63	1,441,774	
<b>TOTAL</b>				
SECTION III: RECONCILIATION TO BUDGET				
PASS THROUGHGS			0	
TRANSFER - STATE AGENCIES			0	
AID TO LOCAL GOVERNMENTS			0	
PAYMENT OF PENSIONS, BENEFITS AND CLAIMS			0	
OTHER			0	
REVERSIONS			297,900	
Total Budget for Agency (Total Activities + Pass Throughs + Reversions)			\$8,351,844	
<b>SCHEDULE XI/EXHIBIT VI: AGENCY-LEVEL UNIT COST SUMMARY</b>				

## ~GLOSSARY OF TERMS~

**Addiction Recovery Supervision:** A program of mandatory post prison supervision for persons released from a state correctional facility who were convicted of a 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.

**Capital Case:** A case in which an inmate has been sentenced to death and the Governor's Office has requested Clemency Investigations to review, update, or conduct an interview of the inmate and prepare an in-depth investigation for consideration of the signing of a death warrant or commutation of sentence to life.

**Clemency Pending Case:** A clemency case received by the Office of Executive Clemency and the Florida Parole Commission that is moving through some stage of the eligibility determination or investigation process and/or is awaiting final action by the Clemency Board.

**Clemency Board:** Comprised of the Governor and members of the Florida Cabinet: the Attorney General; the Chief Financial Officer; and the Commissioner of Agriculture and Consumer Services.

**Clemency Investigation:** A background investigation conducted by a parole examiner to determine those persons requesting clemency who should be considered for any form of clemency by the Governor and Cabinet sitting as the Executive Clemency Board.

**Conditional Medical Release:** The release of an inmate referred by the Department of Corrections, who has been found to be terminally ill or permanently incapacitated, and does not pose a danger to himself/herself or others.

**Conditional Release:** The release of a statutorily eligible inmate to community supervision at the expiration of her/his prison term, less any gain time allotments. The releasee serves the balance of time remaining on their maximum sentence under community supervision. An inmate must have been convicted of certain crimes, and must have had a prior state or federal prison term; or have been found to be a Habitual Offender, Violent Habitual Offender, Violent Career Criminal, or Sexual Predator to be eligible for conditional release.

**Control Release:** The release of a statutorily eligible inmate prior to the expiration of the inmate's sentence which is required to maintain the prison population within its lawful capacity.

**Final Hearing:** A fact-finding *quasi-judicial* hearing by the Commission's authorized representatives for the purpose of determining whether a releasee has violated the conditions of release; and if so, what recommendation should be made to the Commission.

**Inmate:** An individual sentenced to a term of at least one year and a day or more of incarceration in a Department of Corrections' Institution.

**Objective Parole Guidelines:** A predictive parole risk assessment established to ensure uniformity and equity of the parole process, while combining historical decision-making experience with individual case elements.

**Parole:** With the implementation of sentencing guidelines in October 1983, parole was abolished and remained applicable for: inmates who elected to be sentenced outside the guidelines prior to July 1, 1984; inmates convicted of committing either first degree murder or making, possessing, throwing, projecting, placing or discharging any destructive device or attempting to do so if the act resulted in the death of another person prior to May 25, 1994; and inmates who committed all other capital felonies prior to October 1, 1995. Capital felonies require a minimum mandatory service of 25 years before becoming eligible for an initial parole interview.

**Parole Examiner:** An employee of the Commission responsible for conducting Parole, Clemency and Revocations investigations, holding revocation hearings, and preparing reports for Commission and Board review.

**Releasee:** An offender who has completed her/his prison term and has been released to a program of Control Release, Conditional Release, Parole, Conditional Medical Release, or Addiction Recovery Supervision.

**Restitution:** A special condition of release, whereby the releasee is required to make payments to the victim of the crime.

**Restoration of Civil Rights (RCR)/Without a Hearing case:** Investigations where the offender, depending on the offense of conviction, is eligible for consideration only after five (5) years have passed since the date of completion of all sentences, conditions of supervision imposed for all felony convictions, and if no crimes have been committed and have not been arrested for a misdemeanor or felony for the five (5) years prior to the date the application is being reviewed.

**Restoration of Civil Rights (RCR)/With a Hearing case:** Investigations where an offender with more serious offenses are eligible for consideration only after seven (7) years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions.

**Special Condition:** A condition of release that addresses a specific aspect of a releasee's behavior.

**Request for Review:** A request to waive the Board Rules by an individual seeking a commutation of sentence when the individual does not meet the eligibility requirements. A Request for Review hearing may be held to allow the individual's request to be considered by the Board.