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PROVISO REPORT



THE PROCESSING OF RESTORATION OF CIVIL RIGHTS' (RCR) CLEMENCY CASES

FOR FY 2009-10

**PER PROVISO LANGUAGE IN HB 500 I
2010 LEGISLATIVE SESSION**

**SUBMITTED TO THE LEGISLATURE
OCTOBER 1, 2010**

TENA M. PATE, CHAIRMAN

**THE
FLORIDA PAROLE COMMISSION**
~ACTS AS THE INVESTIGATIVE AND ADMINISTRATIVE ARM
OF THE BOARD OF EXECUTIVE CLEMENCY~

TENA M. PATE, CHAIRMAN

MONICA DAVID, VICE CHAIRMAN
FREDERICK B. DUNPHY, COMMISSIONER

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THE FLORIDA CABINET
AS
THE BOARD OF EXECUTIVE CLEMENCY



Charlie Crist

Governor



Bill McCollum

Attorney General



Alex Sink

*Chief Financial
Officer*



Charles Bronson

*Commissioner
Of Agriculture*

MISSION STATEMENT

“TO ENSURE PUBLIC SAFETY AND PROVIDE VICTIM ASSISTANCE THROUGH THE POST PRISON RELEASE PROCESS”

RCR CLEMENCY CASES: FY 2009-10

EXECUTIVE SUMMARY

- 80% of former felons were made potentially eligible for automatic RCR as a result of a Clemency Board action April 5, 2007;
- 309,356 Levels I and II cases have been completed since the rule change as of September 2010;
- 153,190 persons have been granted their civil rights as of September 2010;
- 46% of the Commission’s workload by activity is performed by clemency staff;
- 58 FTEs, in whole or in part, supported the clemency function in FY 2009-1010 (6 positions were not funded and 5 remained vacant);
- 47 FTEs actually supported the clemency function, in whole or in part, in FY 2009-10.

RCR LEVELS I and II CASES: For FY 2009-10

56,794 RCR Cases were pending on July 1, 2009;
59,039 New RCR Cases were received in FY 2009-10;
36,946 RCR Cases were completed in FY 2009-10; and
78,887 RCR Cases were pending on June 30, 2010.

The clemency expenditures for FY 2009-10 totaled \$3,648,279.

PROVISO REPORT

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INTRODUCTION

Since 2002, the Legislature has directed the Florida Parole Commission (Commission) to provide annual status reports on the processing of Restoration of Civil Rights (RCR) clemency cases (see Attachment A). These annual updates were begun for four reasons: (1) a lawsuit filed in 2002 against the Department of Corrections (Department), caused an additional 124,000 clemency RCR *Without a Hearing* cases (RCR Level I automatic cases) to be added to the Commission's already burgeoning pending caseload; (2) concerns due to the large number of pending clemency cases being carried forward each fiscal year; (3) issues regarding the large annual increase in the number of clemency applications being received; and (4) the Commission's handling of these issues. While the Commission completed the additional RCR "lawsuit" clemency cases in June 2004, cases that were pending in the office at the time the lawsuit settlement was negotiated were set aside for processing until the lawsuit cases were completed. These special circumstances, together with subsequent rule changes made by the Clemency Board in 2004 and 2007, and the 20% staff and budget reductions taken by the Commission in FY 2008-09, have created the pending caseload.

The following report is a detailed, comprehensive overview of the Commission's work on the RCR clemency cases for FY 2009-10 and the many issues which influence or control the process.

APPOINTMENT OF CLEMENCY COORDINATOR

On January 12, 2010, Julia (Julie) R. McCall of Tallahassee was appointed by the Governor and Cabinet as the Coordinator for Florida's Board of Executive Clemency (Clemency Board) replacing former Coordinator Janet H. Keels who retired. Ms. McCall was previously serving as a Parole Examiner with the Commission's Office of Clemency Administration.

A twenty-five year veteran of the Alachua County Sheriff's Office, Ms. McCall retired from her position as Deputy Sheriff with the rank of Sergeant and Lead Inspector. In addition to her law enforcement experience, she is currently a member of the Domestic Violence Coordinating Council of Tallahassee and has served on the Guardian Ad Litem Advisory Board of Alachua County and the Sexual Battery-Homicide Task Force of Gainesville, Florida. Ms. McCall holds an Associate of Arts Degree from the University of Charleston, West Virginia.

APPOINTMENT OF COMMISSION CHAIRMAN

On July 29, 2010, by a vote of the Governor and Cabinet, Tena M. Pate of Tallahassee was reappointed to serve a second six-year term on the Commission and was also designated to serve as the Commission's Chairman and agency head for the next two years.

A native Floridian and former resident of Niceville, Florida, Pate has served the citizens of this State as a Victims' Advocate for Okaloosa and Walton Counties; served in the General Counsel's Office during the Martinez Administration; and served in the Office of Chief of Staff for both Governors Martinez and Chiles. Following a year in the private sector working in the Tallahassee Law Offices of *Steel, Hector* in their Governmental Consulting section, she returned

to public service as Florida's Victims' Rights Coordinator in the administration of Governor Lawton Chiles, Buddy MacKay, and Jeb Bush. She served in this capacity and as a Clemency Assistant until her appointment to the Commission in 2003.

On July 1, 2010, Commissioner Pate was appointed by Chief Justice Charles T. Canady to serve on the Florida Supreme Court's *Florida Innocence Commission*. She is currently serving on Attorney General Bill McCollum's Statewide Domestic Violence Fatality Review Team, the Leon County Child Abuse Death Review Team, and the Department's Re-entry Advisory Council.

AUDITOR GENERAL REPORT NO. 2010-010: SUMMARY

In mid-2009, the RCR process of the Commission was reviewed by the Florida Auditor General's Office, as documented in Report No. 2010-010. This audit consisted of a review of the Commission's RCR process for the period July 2007 through February 2009. This report is the first external review conducted on the RCR process since the Clemency Board adopted new RCR rules in April 2007. The Commission believes that taking corrective actions based upon the audit findings will only strengthen and enhance the current RCR process.

The audit revisited 203 of the 199,047 cases that had been processed during that period. Due to the uniqueness of the Clemency process and functions, this case review was completed by Audit personnel observing as Commission employees actually went through the process. A total of 13 errors were noted in the audit report.

The report contained five findings requiring corrective action by the Commission, four of which related directly to the RCR process: establishing set timeframes for processing RCR requests; requesting additional RCR performance measures; the need for enhanced quality assurance measures; and the need for better supervisory reviews. In response to the audit report and its findings, on September 29, 2009, then Chairman Dunphy created an Ad Hoc Committee to review the current RCR practices and recommend improvements. The findings and recommendations of this committee are found in Attachment G and are summarized in the Commission's Six Month Follow-up Response shown below.

AUDITOR GENERAL REPORT NO. 2010-010: THE COMMISSION'S SIX MONTH RESPONSE

On June 16, 2010, former Commission Chairman Frederick B. Dunphy wrote State Representative Greg Evers, Chairman of the Joint Legislative Auditing Committee, with the Commission's Six-Month Follow-Up Response to Auditor General Report No. 2010-010 (see Attachment F). The following summarizes the Commission's post audit corrective measures and their status:

- November 2009: Created a Quality Assurance Unit (QAU), composed of key clemency administration staff, to provide an assessment of existing clemency procedures.
- December 2009: (1) Created and posted to the Commission Intranet website a new "Eligibility Review Form" for use statewide when reviewing all "Expiration of

- March 2010 – Database Upgrades: A MACNet Application upgrade was completed to sustain the current clemency database and to ensure that any future upgrades and enhancements requested by the Commission will be supported. These will include: improving functionality by users; documenting resources utilized in RCR reviews; and documenting supervisory reviews and quality assurance reviews within the MACNet database. Commission staff is currently working with the Department’s Office of Information Technology (OIT) to develop and implement these future MACNet upgrades.

- March 2010 – Enhanced Staff Training: A new training manual was finalized, posted to the Commission Intranet website, and distributed statewide for conducting RCR Level 1 (automatic approval) eligibility reviews of EOS and TOS cases. This manual is a valuable resource guide for those involved in the RCR review process and includes: a review of the RCR rules; a review of all data systems to be utilized; a review of the complete investigative process and examples; and a list of available internet resources.

- Appropriate Performance Measures and Revisions Requested: New Performance Measures, recommended in the Audit Report and requested in the Commission’s FY 2010-11/FY 2014-15 Long Range Program Plan (LRPP) were submitted to the Governor’s Office of Policy and Budgeting (OPB) and approved. The four (4) new performance measures were crafted to capture specifically the error rate for RCR Levels I, II, and III cases, and are as follows:
 - a. Percent of Level I/automatic RCR *application* cases placed on executive orders to the Clemency Board containing no factual errors.
 - b. Percent of Level I/automatic RCR list (*EOS/TOS*) cases placed on executive orders to the Clemency Board containing no factual errors.
 - c. Percent of Level II RCR cases placed on executive orders to the Clemency Board containing no factual errors.
 - d. Percent of Level III RCR cases placed on executive orders to the Clemency Board containing no factual errors.

The Commission reiterated its position that public safety is its primary mission and ensures that its programs with critical public safety statutorily mandated timeframes are met. When asked by the Legislature to prioritize its spending, the Commission’s funding resources have in recent years been allocated first to those functions where critical public safety timeframes are mandated. This is because, with the exception of a duty performed by clemency staff but unrelated to clemency (seaport security investigations), there are no statutorily mandated timeframes for performing clemency functions. Thus, funding to the clemency function has suffered during the current economic downturn. However, since the Commission serves as the investigatory and administrative arm of the Clemency Board it strictly follows all rules, policies, and Board directives to the best of its ability.

THE COMMISSION'S ROLE IN THE CLEMENCY PROCESS

The Commission operates as the administrative and investigative arm of the Clemency Board, with the Governor and three members of the Florida Cabinet sitting as the Clemency 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 (RCR). 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 or she loses the right to vote, sit on a jury, hold public office, obtain certain occupational licenses, 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 generally either incarcerated felons or released felons. Should an individual not meet the eligibility criteria for any form of clemency as set forth in the rules, he or she may file an application requesting a waiver of the clemency rules.

Commission employees assist the Clemency Board in the orderly processing of matters placed before it for consideration and board action. These employees, working through the courts, state, and federal criminal justice agencies also conduct comprehensive, confidential investigations for the Clemency Board for applicants seeking one or more of the various forms of clemency. These detailed investigations provide a broad picture of the applicant's history and activities, which assist the Board in making informed decisions.

Persons seeking clemency, and particularly those who are seeking to have their civil rights restored, may call, e-mail, fax, send a letter to the Office of Executive Clemency, or fill out an application worksheet directly online at the Commission's website: www.fpc.state.fl.us or <https://fpc.state.fl.us/Clemency.htm>. Persons can also access the Commission's clemency database via the Internet site and check to see whether their rights have been restored. If restored, they may print a copy of the certificate. Also, the Commission includes a voter registration application when mailing a certificate restoring an individual's rights.

APRIL 5, 2007 CLEMENCY RULES CHANGES

On April 5, 2007, the Clemency Board adopted rules implementing an "automatic" approval process (Level I) for the restoration of civil rights for felons convicted of specific offenses. Persons who have completed their sentences and paid their debt to society are eligible for Level I automatic approval if convicted of less serious offenses such as Grand Theft, Burglary of a Dwelling, Possession of Firearm by Convicted Felon, Felony DUI, and Sale of Controlled Substance. These are cases involving the least severe offenses that are not specifically designated in the Rules of Executive Clemency as violent/sexual offenses and do not require a hearing.

RCR Level I cases originate either (1) from an *electronic file* provided each month to the Commission by the Department containing the names of offenders being released from prison or terminating supervision, or (2) are received in the Office of Executive Clemency as a request from the individual in the form of an application worksheet. The Commission conducts an eligibility determination and, later, a quality assurance review. If determined eligible, their names are placed on an executive order for signature of the Clemency Board. Once an order is signed, a certificate granting the restoration of a person's civil rights is mailed to the individual's address as provided by the Department or the individual. If found ineligible for RCR *without a hearing*, a notification letter is automatically generated by the Management Application of Clemency (MAC) database. This letter provides information on how the person should proceed to seek RCR.

Persons convicted of more serious offenses such as Aggravated Battery/Assault, Trafficking in Cocaine, Aggravated Stalking, Kidnapping/False Imprisonment, or First Degree Burglary are eligible for a Level II review for RCR *without a hearing*. A more in-depth investigation is required for these cases with additional information being provided to the Clemency Board for a 30-day review. At the end of the review period, if the Clemency Board approves, the names of the eligible individuals are then placed on an executive order for signature of the Clemency Board and restoration of civil rights certificates are mailed to those persons once the order has been signed. If the Clemency Board does not approve, the case will be forwarded for a full clemency investigation (Level III). Persons convicted of the most serious offenses such as Murder/Manslaughter, Sexual Battery, Aggravated Child Abuse, or persons designated as Sexual Predators must be investigated as a Level III RCR *with a hearing* case, which requires a hearing before the Clemency Board.

The referral, assignment, and approval of all cases completed by the Commission are tracked and managed through the MAC database. The eligibility review process utilizes many computer systems (e.g., Department of Corrections, Clerks of Court, the Internet, Department of Law Enforcement, Department of Highway Safety and Motor Vehicles, Public Access to Court Electronic Records (PACER), local law enforcement agencies, out-of-state boards and agencies, etc.). Further, the Commission uses the Comprehensive Case Information System (CCIS), a secured Internet Portal maintained by the Florida Association of Court Clerks, which provides a single point of access for statewide court case information. Also, the Commission provides the Clemency Board's action to the Florida Department of State on a bi-weekly basis so that it may update its Central Voter Registration Database.

In addition to the electronic files of offenders released from prison or supervision provided by the Department, individuals may use the one-page hardcopy RCR application worksheet when submitting a request to have their civil rights restored. This form has been redesigned to require less information and eliminates the requirement that individuals provide certified copies of court documents when applying for restoration of civil rights. All forms necessary for the clemency process are currently available online at the Commission's website.

THREE-YEAR IMPACT OF 2007 RULE CHANGES

With pending caseloads soaring, and as a result of the corrective measures taken in response to Audit Report No. 2010-010, the Commission implemented quality assurance measures aimed at ensuring informed decisions are made by placing cases before the Commission and Clemency Board having no factual errors. This goal ensures that the Commission and Clemency 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 Clemency 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 incorrectly reporting information. These errors do not include typographical errors.

The types of cases reviewed for errors include clemency investigations, cases considered for release, and revocation hearings. The Commissioners and the Clemency 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 Clemency Board. By providing complete and accurate information, the Commission and the Clemency Board are able to make informed, accurate decisions.

The Commission's new performance goals solely reflect the percentage and error rate of RCR clemency cases placed before the Clemency Board containing no factual errors. These goals remain a top priority of the agency because the Commission and Clemency 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's LRPP for FY 2011-12/FY 2015-16 addresses the importance of producing error-free documents by establishing clear policies and procedures; providing training; and conducting Quality Assurance reviews. This ensures that staff produces a quality work product. The percent of cases placed before the Commission/Clemency Board containing no factual errors for FY 2009-10 was 99%.

Clemency/RCR Data for Fiscal Year 2009-2010

Each year the Commission provides the following data as requested:

- the number of pending RCR clemency cases and the methodology used to determine that number;
- the number of RCR cases received;
- the number of RCR cases processed (closed);
- the number of RCR cases pending but not processed (closed);
- a continuation plan for simplifying the administrative RCR process;
- identification of the existing resources supporting the RCR process; and
- identification of RCR cases by type and the timeframes to process such cases.

The following is the proviso language contained in HB 5100ER, 2010 Regular Session:

From the funds in Specific Appropriation 1373, the Parole Commission shall conduct a study and provide the following to the Governor's Office of Policy and Budget, the President of the Senate and the Speaker of the House of Representatives by October 1, 2010:

- 1. A valid determination of the exact number of pending Restoration of Civil Rights (RCR) cases existing on July 1, 2010, along with a full explanation of the methodology used to determine the pending number of cases. Data must include total cases received for each of the past five years, the total number of cases processed for each of the past five years, and the total number of cases received or pending but not processed for each of the past five years;*
- 2. A continuation plan including measures that continues to simplify application forms and processes by using readily available data from existing automated systems;*
- 3. Identification of all existing resources, workload, job descriptions, and internal business procedures for clemency activities. This information must be reported in a manner that allows for isolation of resources allocated to the RCR process. The information must also be sufficient to account for each step in the process to complete the review of RCR without a hearing; and*
- 4. Proposed criteria, developed by case type, to use in defining and classifying case backlogs which shall be based upon a reasonable length of time for the normal processing of cases.*

In response to the above-referenced directive, the following is the relevant information and support data for the RCR clemency-related activities administered by the Commission during Fiscal Year 2009-10.

ISSUE ONE

1. RCR PENDING CASES

The number of RCR Levels I, II, and III cases pending action on July 1, 2010 was 81,757. This number includes 51,172 Level I cases; 27,715 Level II cases; and 2,870 Level III cases.

The 51,172 Level I cases included as follows:

- 24,597 offenders who completed their sentences and were being released by the Department and whose cases were forwarded electronically to the Office of Clemency Administration; and
- 26,575 offenders who requested restoration of their civil rights through the Office of Executive Clemency.

The 27,715 Level II cases included:

- 19,460 offenders who completed their sentences and were being released by the Department and whose cases were forwarded electronically to the Office of Clemency Administration, where they were converted to a Level II application after an initial investigation; and
- 8,255 offenders who requested restoration of their civil rights through the Office of Executive Clemency.

As of June 30, 2010, there were 1,750 **RCR Levels I and II** cases that were completed and awaiting official Board action as well as 35 RCR Level III cases that were completed and awaiting a Clemency Board hearing.

2. METHOD OF CALCULATION

The methodology used to calculate “pending cases” is based on the number of cases in the clemency database that did not have a completion date and cases in the Office of Executive Clemency that have not been entered into the database as of June 30, 2010, **thus pending cases currently means cases not yet completed.** Pending cases include: prior year pending cases, plus new cases received, less those completed during the applicable fiscal year.

All data is captured in the Commission’s MAC database. **Table 1** referenced below shows the number of cases pending on June 30 each year for the past 5 fiscal years. 51,172 Level I cases include 24,597 offenders whose terms of supervision ended or whose sentence expired in FY 2009-10 and were forwarded electronically to the Commission, and 26,575 offenders who requested rights restoration directly through the Office of Executive Clemency. This also includes 27,715 Level II cases of which 19,460 were electronically forwarded to the Office of Clemency Administration where they were converted to a Level II application after an initial investigation, and 8,255 offenders who requested RCR through the Office of Executive Clemency.

**TABLE 1: RCR LEVELS I AND II PENDING CASES
FYS 2005-06 – 2009-2010**

RESTORATION OF CIVIL RIGHTS CASES PENDING 2005-2010: LEVELS I AND II									
PENDING	2005-06 Total	2006-07 Total	2007-08 Total	2008-09 Total	2008-09 Level I	2008-09 Level II	2009-10 Total	2009-10 Level I	2009-10 Level II
PENDING JULY 1	22,223	22,935	82,504	63,881	47,353	16,528	56,794	33,816	22,978
PENDING JUNE 30	22,935	82,504	63,881	56,794	33,816	22,978	78,887	51,172	27,715

3. RCR LEVELS I AND II CASES RECEIVED, COMPLETED, AND PENDING

The clemency/RCR function caseload for the past five years is reflected below. These figures include all Levels I and II RCR cases, which represent 99% of all RCR clemency cases received.

**TABLE 2: RESTORATION OF CIVIL RIGHTS' CASES
FYS 2005-06 - 2009-10: LEVELS I AND II**

RESTORATION OF CIVIL RIGHTS CASES 2005-2010: LEVELS I AND II

RCR CASES	FY2005/06	FY2006/07	FY2007/08	FY2008/09	FY2009/10
CASES PENDING JULY 1 (CARRIED FORWARD FROM THE PREVIOUS FY)	22,223	22,935	82,504	47,353 Level I <u>16,528 Level II</u> 63,881 Total	33,816 Level I <u>22,978 Level II</u> 56,794 Total
CASES RECEIVED	44,571	113,638	133,200	58,644 Level I <u>8,524 Level II</u> 67,168 Total	52,113 Level I <u>6,926 Level II</u> 59,039 Total
CASES COMPLETED	43,856	53,856	151,823	70,584 Level I <u>3,671 Level II</u> 74,255 Total	34,612 Level I <u>2,334 Level II</u> 36,946 Total
CASES PENDING 6/30	22,935	82,504	63,881	33,816 Level I <u>22,978 Level II</u> 56,794 Total	51,172 Level I <u>27,715 Level II</u> 78,887 Total

**TABLE 3: RCR LEVELS I AND II RECEIVED CASES
FYS 2005-06 – 2009-10**

Restoration of Civil Rights' Cases Received 2005-2010: Levels I and II

RCR CASES	2005/06 Total	2006/07 Total	2007/08 Total	2008/09 Total	2009/10 Total
RECEIVED	44,571	113,638	133,200	67,168	59,039

**TABLE 4: RCR LEVELS I AND II COMPLETED CASES
FYS 2005-06 – 2009-10**

Restoration of Civil Rights' Cases Completed 2005-2010: Levels I and II

RCR CASES	2005/06 Total	2006/07 Total	2007/08 Total	2008/09 Total	2009/10 Total
COMPLETED	43,856	53,856	151,823	74,255	36,946

ISSUE TWO

1. UTILIZATION OF EXISTING AUTOMATED SYSTEMS

The referral, assignment, and approval of cases within the Commission are all processed and managed through the Commission's MAC database. The current review process utilizes many computer systems (e.g. the Department, Clerks of Court, the Internet, Department of Law Enforcement, Department of Highway Safety and Motor Vehicles, Public Access to Court Electronic Records (PACER), local law enforcement agencies, out-of-state boards and agencies, etc.). Further, the Commission uses the Comprehensive Case Information System (CCIS), a secured Internet Portal maintained by the Florida Association of Court Clerks, which provides a single point of access for statewide court case information. Also, the Commission provides the Clemency Board's action to the Florida Department of State on a bi-weekly basis so that it may update its Central Voter Registration Database.

Persons seeking to have their civil rights restored can call, fax, e-mail, send a letter to the Office of Executive Clemency, or fill out a request form (application) directly online at the Commission's website: www.FLrestoremyrights.com or <https://fpc.state.fl.us/clemency.htm>. In August of 2007, the Commission's Restoration of Civil Rights' toll-free number, 1-800-435-8286, was activated. On June 30, 2008, funds for the two bi-lingual contract employees answering these lines were discontinued. To compensate for the loss of these part-time employees, and to keep the phones covered to the extent possible, the phone-tree was reconfigured to allow calls to roll over to other clemency staff.

Most importantly, by Executive Order of the Governor dated August 27, 2008, the Commission unveiled a new search engine on its website, wherein individuals can verify whether their rights were restored, and if so, can print the clemency certificate immediately.

2. EFFECTS OF APRIL 5, 2007, RULES CHANGE

The Clemency Board establishes the Rules of Executive Clemency by mutual consent and is comprised of the Governor and the three additional members of the Cabinet: the Attorney General; the Comptroller and Chief Financial Officer; and the Commissioner of Agriculture and Consumer Services. Each of the Clemency Board members has a personal Clemency Aide who works closely with Commission staff to process clemency cases and carry out the policies and directives of the Board.

On April 5, 2007, the Board adopted new rules, which implemented an "automatic" approval process, **Level I**, for RCR for felons convicted of specific offenses who have completed their sentences. The persons eligible for Level I automatic approval have been convicted of less serious offenses such as Grand Theft, Burglary of a Dwelling, Possession of Firearm by Convicted Felon, Robbery (No Deadly Weapon), Felony DUI and Sale of Controlled Substance. These cases are reviewed for eligibility and subsequent to a Quality Assurance Review are placed on an executive order for signature of the Clemency Board. Once the executive order is signed, certificates are mailed to the persons having their rights restored. On August 27, 2008, by Executive Order of Governor Charlie Crist, the Commission began including a voter registration application when mailing the certificate.

Individuals convicted of more serious offenses such as Aggravated Battery/Assault, Trafficking in Cocaine, Aggravated Stalking, Kidnapping/False Imprisonment, or designated as a Three-Time Violent Felony Offender, are eligible for a **Level II** review for restoration of civil rights without a hearing. A more in-depth investigation is required on these cases and the information is provided to the Clemency Board for a 30-day review. At the end of the review period, if the Clemency Board approves, the names of the eligible individuals are then

placed on an executive order for signature of the Clemency Board and RCR certificates are mailed to those persons once the order has been signed. In these cases, the Commission also includes a voter registration application when mailing the certificate to persons having their rights restored. Persons convicted of the most serious offenses such as Murder/Manslaughter, Sexual Battery, Aggravated Child Abuse, or persons designated as Sexual Predators, must be investigated for restoration of civil rights with a hearing as a **Level III** case. Level III cases require a full investigation, a Commission recommendation, and a hearing before the Clemency Board.

3. FORMS/APPLICATION WORKSHEET

The Commission uses a one-page hardcopy RCR application worksheet, which is available on line at: <https://fpc.state.fl.us/clemency.htm>.or www.FLrestoremyrights.com. This form has been redesigned to require less information and eliminates the requirement that individuals provide certified copies of court documents when applying for restoration of civil rights.

ISSUE THREE

1. STAFFING AND FUNDING FOR THE CLEMENCY FUNCTION

In FY 2009-10, the Office of Executive Clemency and Clemency Administration were staffed with six (6) and eleven (11) FTEs, respectively. There was one (1) victim position dedicated to the clemency function which was funded by a VOCA grant. In addition, the equivalent of twenty-nine (29) FTE field and support staff for a total of 47 FTEs dedicated, either wholly or in part, to the support of the clemency function. Positions supporting the clemency function include 29% clerical staff and 71% professional staff, with the base annual salary set at \$23,483 and \$35,114 respectively for a Staff Assistant and Parole Examiner. Most positions are hired at the base and persons employed in the Tampa and Miami offices have applicable Competitive Area Differentials (CAD's). Due to significant budget cuts to this agency, the staff supporting the clemency function has been reduced by ten (10) full or part-time employees since the April 5, 2007 rules change.

2. POSITION DESCRIPTIONS

Attachments D and E contain the following position descriptions currently utilized in the Office of Executive Clemency, the Office of Clemency Administration, Victim Services, and for staff in the field (Parole Examiners) who conduct investigations for the clemency process:

OFFICE OF EXECUTIVE CLEMENCY

Clemency Coordinator (1)
Parole Examiner (1)
Administrative Secretary (1)
Staff Assistant (3)

TOTAL FTEs: 6

OFFICE OF CLEMENCY ADMINISTRATION

Director of Clemency Administration (1)
Administrative Analyst (Capital Punishment Research Specialist) (1)
Operations & Planning Coordinator (Clemency Supervisor & Research Analyst) (1)
Executive Secretary (1)
Parole Examiner (5)

Parole Examiner (2) Part-time
Staff Assistant (1)

TOTAL FTEs: 11

VICTIM SERVICES

Clemency Victims Coordinator (1)

TOTAL FTEs: 1

TOTAL FIELD AND SUPPORT STAFF

(29) FTEs – in whole or in part

TOTAL FTEs: 29

TOTAL STAFF: 47 FTEs in whole or in part

3. LEGISLATIVE BUDGET REQUEST

Since 2003, new positions have been requested annually in the Commission's Legislative Budget Request (LBR), but have never been funded, while the caseload has increased significantly. The clemency function has not been funded sufficiently to keep current with its workload demands or its caseload. Since the loss of 24 employees/positions in FY 2008-09, the Commission has continued to process cases, while being faced with an increasing workload and a reduction in resources. Other RCR activities, including outreach and the toll free RCR "800" number, were discontinued after only one year.

Since the 20% cut to the Commission's budget in FY 2008-09, the ability of the Commission to respond to citizens, citizen activist organizations, and Legislators has been compromised, although the expectation is the same or higher than prior years when the Commission received, at a minimum, a continuation budget. Other than a one-time \$50,000 appropriation for RCR Outreach in FY 2007-08, the Commission has not received any additional positions or funding for clemency operations since 2003. However, the Commission continues to request the necessary resources to focus on its core mission of public safety and to enable the Commission to respond to its stakeholders within a reasonable timeframe.

The Commission's FY 2011-12 LBR again addresses the need for additional resources to: (1) reduce the growing number of pending cases; (2) to answer the toll-free RCR information line; (3) to implement quality assurance measures to prevent errors; and (4) to process cases in a timely manner. As the RCR process has been simplified, the number of persons requesting to have their civil rights restored has soared. During FY 2009-10, the Commission received 66,035 cases for all forms of clemency. To address the escalating workload, the Commission is requesting 30 FTEs and \$1,943,134 in its FY 2011-12 LBR to counter the workload demands generated by the policy changes; to ensure that cases are reviewed and classified correctly; and to ensure that persons found eligible receive their rights as expeditiously as possible. While the Commission is requesting 30 additional FTEs in the LBR, 36 additional FTEs are actually needed just to complete the RCR cases **received** annually. Auditor General Report No. 2010-010, in its September 2009 review of the current RCR process, stated that 71 additional FTEs would be required just to complete the current pending cases.

A toll-free number established in FY 2007-08 provided an information line for persons seeking information on the restoration of civil rights. The number of calls received to the toll free clemency line for FY 2008-09 was 47,872. In FY 2009-10, the calls increased to 66,604, an increase of 18,732 from the previous year. To continue this vital service, the Commission is requesting funding for the phone line and two (2) part-time

bilingual operators. Currently, clemency employees are being rotated away from processing cases to answer this information line.

**TABLE 5: FTEs & Funding for Clemency Function
Fiscal Years 2004-2005 – 2009-2010**

Fiscal Year	Total FTEs*	Total Clemency Appropriation
04-05	67 FTEs*	\$4,247,173
05-06	62 FTEs *	\$4,493,285
06-07	58 FTEs *	\$5,177,495
07-08	55 FTEs *	\$4,343,718
08-09	44 FTEs *	\$3,820,976
09-10	47 FTEs *	\$3,648,279

* The number of FTEs supporting the clemency functions either in whole or in part.

The Commission’s Performance Based Budgeting (PBB) System captures work hours for each major activity within the Commission. Data from PBB indicates that clemency represents 46% of the Commission’s workload.

ISSUE FOUR

1. RCR CASES: LEVELS I, II, and III

Criteria for developing clemency workload priorities is based upon the amount of time it takes to process cases from the shortest (RCR case eligibility reviews) to the longest (full investigations). To this end, workload priorities have been adjusted to process RCR cases as follows: first, process RCR cases that do not require a hearing (**Levels I and II**); second, process RCR cases with a hearing and requiring full investigations (**Level III**); and third, process full investigations for other forms of clemency cases, i.e., full pardons and firearm authority. All cases are processed in the order in which they are received unless otherwise directed by the Clemency Board.

2. TERMINOLOGY

The following are common terms used in the clemency process for RCR. Also included are explanations of the various stages in the process.

Received Cases: Cases that have been received in the Office of Executive Clemency by phone, facsimile, regular mail, e-mail, or Internet, and cases which are sent electronically by the Department to the Office of Clemency Administration.

Completed Cases: Cases that are closed, cases where the eligible individual is mailed an RCR certificate, and cases when the ineligible individual has been mailed notification of further action they must take to obtain their rights.

Pending Cases: Cases that are received by the Office of Executive Clemency and the Florida Parole Commission that are moving through some stage of the eligibility determination or investigation process and/or are awaiting final action by the Clemency Board, **thus pending cases are cases that are not completed.**

3. PROCESS FOR EX-OFFENDERS TO SEEK RCR

A. Electronic File Cases: Pursuant to s. 944.293, Florida Statutes, upon expiration of an inmate's sentence or termination of supervision, the Department submits an application for individuals who may be eligible for restoration of civil rights upon release in the form of an electronic file sent to the Office of Clemency Administration within the Commission.

B. Application Cases: Individuals convicted in federal, military, or out-of-state courts, or persons being released from county jails, must make a request for restoration of civil rights with or without a hearing to the Office of Executive Clemency.

4. PROCESS FOR RECEIVING RCR CASES

A. Level I Automatic *Electronic File* Cases Sent Monthly from the Department of Corrections

Restoration of Civil Rights/Level I automatic *electronic* case: This is a case involving the least severe offenses not specifically designated in the Rules of Executive Clemency as violent/sexual offenses and does not require a hearing. This type of case is commonly referred to as "automatic" and is an individual being released from prison or supervision whose name is provided in an electronic file sent monthly by the Department to the Office of Clemency Administration.

1. The Commission's Office of Clemency Administration receives cases electronically from the Department.
2. Commission Parole Examiners conduct eligibility reviews.
3. If eligible, and after a Quality Assurance review, a case is submitted to the Clemency Board, and the Office of Executive Clemency (OEC) notifies the person of the Clemency Board's decision. If granted, OEC mails a certificate and a voter registration application. If ineligible, the person is notified by Clemency Administration.

B. Level I Automatic *Application* Cases

Restoration of Civil Rights/Level I automatic *application* case: This is a case involving the least severe offenses not specifically designated in the Rules of Executive Clemency as violent/sexual offenses and does not require a hearing. This type of case is commonly referred to as "automatic" and is received in OEC in the form of an application which can be taken over the phone, received in regular mail, faxed, or provided online.

1. The Commission receives clemency requests by phone, facsimile, regular mail, e-mail, or Internet.
2. The OEC conducts a brief review to determine eligibility for clemency type requested.
3. If eligible, the OEC refers the request to Clemency Administration for investigation. If ineligible, OEC notifies the person and advises him/her on how to proceed with a hearing or what is needed to resolve their ineligible status.
4. Clemency Administration distributes investigations to appropriate Commission regional offices to conduct eligibility/background investigation.
5. Completed/approved investigations are received in Clemency Administration, where Quality Assurance reviews are conducted.
6. If eligible, the investigation is submitted to the Clemency Board, and OEC notifies the person of the Clemency Board's decision. If granted, OEC mails a certificate and a voter registration application. If ineligible, the person is notified by OEC.

5. AVERAGE TIME FOR PROCESSING CASES

For FY 2009-10, the average time to conduct a *RCR without a hearing* review was **0.91 hours** for **Level I** cases and **5.1 hours** for **Level II** cases. The average time to conduct a **Level III** full investigation was **13.8 hours**. The Commission's PBB System captures work hours for each major activity within the Commission. For FY 2009-10, data from PBB indicates that the clemency function represents 46% of the Commission's workload.

Since April 5, 2007, the Commission has processed over **309,356** RCR Levels I and II cases, with 153,190 individuals having their rights granted as of September 1, 2010.

6. RCR PUBLIC INFORMATION REQUESTS AND OUTREACH ACTIVITIES

The Commission's dedicated field staff continue to support and provide assistance throughout the State at Department-sponsored Re-entry Fairs, community-sponsored RCR Outreach activities, and events sponsored by private groups supporting voter registration outreach activities. Commission staff are not compensated for their work at these events and their participation is strictly on a voluntary basis. Throughout FY 2009-10, Commission employees attended and worked a variety of events aimed at fostering the restoration of civil rights. Employees spoke at RCR Outreach training seminars; attended in-state annual conferences representing the agency; spoke on RCR issues at community colleges and job fairs; and staffed many re-entry fairs (see Attachment C).

The media, the public, legislators, and private community/non-profit organizations are routinely provided upon request a compact disk (CD) containing the names of the most current list of individuals who have been granted their civil rights. Other routine requests for public information are handled as follows:

- *Rules of Executive Clemency* are provided to the public upon request in brochure form and are also available on the Commission's website;
- Persons seeking the status of a clemency RCR case are either provided the information by phone or are referred to the Commission's Internet site where a search engine allows individuals to verify if their rights have been restored and print a certificate directly from the database, if applicable;
- A copy of the voter registration application is included when mailing a certificate to persons having their rights restored;
- An electronic file is sent by the Commission to the Department of State/Division of Elections on a bi-monthly basis containing the names of all persons whose civil rights have been restored for that time period.

The toll free number for RCR public information is 1-800-435-8286 (see Attachment B).

7. SUMMARY OF CURRENT RCR POLICIES:

The Rules of Executive Clemency, as adopted by the Clemency Board, guide the Commission in conducting all reviews of RCR requests to determine in which Level each ex-offender will be processed.

There are 3 Levels of RCR cases based upon the nature of the felony offense:

RCR Level I Cases: A case involving the least severe offenses that are not specifically designated per the Rules of Executive Clemency as violent/sexual offenses and do not require a hearing.

Level 1:

Expedited restoration of civil rights for non-violent ex-offenders

Old Process

1. Complete sentence
2. Complete supervision
3. Pay victim restitution
4. Verify eligibility and no pending charges
5. Placement on Clemency Board preliminary review list
6. If two objections – full hearing and investigation
7. Approval requires vote of Governor plus two
8. Restoration of rights certificate issued

New Process

1. Complete sentence
2. Complete supervision
3. Pay victim restitution
4. Verify eligibility with fewer disqualifying offenses and no pending charges
5. Expedited Executive Order signed by Clemency Board without hearing
6. Restoration of rights certificate issued

If never convicted of one of the following crimes:

- murder, attempted murder, attempted felony murder, manslaughter
- DUI manslaughter
- sexual battery, attempted sexual battery
- lewd or lascivious battery, attempted lewd or lascivious battery, lewd or lascivious molestation, lewd or lascivious conduct, or lewd or lascivious exhibition
- lewd or lascivious offense upon or in the presence of an elderly or disabled person, attempted lewd or lascivious offense upon or in the presence of an elderly or disabled person
- sexual performance by a child, attempted sexual performance by a child
- aggravated child abuse
- failure to register as a sexual predator or sexual offender
- computer pornography, transmission of computer pornography, buying or selling of minors
- kidnapping, attempted kidnapping, false imprisonment, or luring and enticing a child
- aggravated battery, attempted aggravated battery
- armed robbery, attempted armed robbery, carjacking, attempted carjacking, home invasion, attempted home invasion
- poisoning of food or water
- abuse of a dead human body
- first degree burglary or attempted
- first degree burglary arson or attempted arson
- aggravated assault
- aggravated stalking
- aggravated battery or aggravated assault on a law enforcement officer or other specified officer
- first degree trafficking in illegal substances
- aircraft piracy
- unlawful throwing, placing, or discharging of a destructive device or bomb
- facilitating or furthering terrorism
- treason
- any offense committed in another jurisdiction that would be an offense listed in this paragraph if that offense had been committed in Florida

and not declared to be a:

- Habitual Violent Felony Offender
- Three-time Violent Felony Offender
- Violent Career Criminal
- Prison Releasee Reoffender
- Sexual Predator

RCR Level II Cases: A case involving more severe offenses, including violent and drug trafficking offenses, but not murder/sexual offenses. These types of cases do not require a hearing unless a Clemency Board member objects.

<u>Level II:</u> Expedited review and approval of civil rights for violent offenses, except murder and sex offenses	
<u>Old Process</u> <ol style="list-style-type: none">1. Complete sentence2. Complete supervision3. Pay victim restitution4. Verify eligibility and no pending charges5. Complete 5-year waiting period for specific offenses6. Placement on Clemency Board preliminary review list7. If two objections – full hearing and investigation8. Approval requires vote of Governor plus two9. Restoration of rights certificate issued	<u>New Process</u> <ol style="list-style-type: none">1. Complete sentence2. Complete supervision3. Pay victim restitution4. Verify eligibility (investigation) and no pending charges5. Placement on Clemency Board preliminary review list6. 30 days for approval – requires vote of Governor plus two; if not approved, full hearing and investigation7. Restoration of rights certificate issued

And never convicted of one of the following crimes:

- murder, attempted murder, attempted felony murder, manslaughter
- DUI manslaughter
- sexual battery, attempted sexual battery
- lewd or lascivious battery, attempted lewd or lascivious battery, lewd or lascivious molestation, lewd or lascivious conduct, or lewd or lascivious exhibition
- lewd or lascivious offense upon or in the presence of an elderly or disabled person, attempted lewd or lascivious offense upon or in the presence of an elderly or disabled person
- sexual performance by a child, attempted sexual performance by a child
- aggravated child abuse
- failure to register as a sexual predator or sexual offender
- facilitating or furthering terrorism
- treason
- any offense committed in another jurisdiction that would be an offense listed in this paragraph if that offense had been committed in this State.

And not declared to be a:

- Habitual Violent Felony Offender
- Three-time Violent Felony Offender
- Violent Career Criminal
- Prison Releasee Reoffender
- Sexual Predator

RCR Level III Cases: A case involving the most severe offenses including murder/sexual offenses, which requires a full investigation, a Commission recommendation, and a hearing before the Clemency Board. These are the most severe offenses including habitual violent felony offenders; three-time violent felony offenders; violent career criminals; prison release reoffenders; murderers; and sexual predators.

<u>Level III:</u> Full investigation and hearing process for murder and sex offenses	
<p style="text-align: center;"><u>Old Process</u></p> <ol style="list-style-type: none"> 1. Complete sentence 2. Complete supervision 3. Pay victim restitution 4. Verify eligibility and no pending charges 5. Full investigation and hearing, including victim statement and Commission recommendation 6. Approval requires vote of Governor plus two 7. Restoration of rights certificate issued 	<p>NO CHANGE</p>
<u>15 year rule:</u> 15 year arrest and crime free expedited review for all offenses	
<p style="text-align: center;"><u>Old Process</u></p> <ol style="list-style-type: none"> 1. Complete sentence 2. Complete supervision 3. Pay victim restitution 4. Verify eligibility and no pending charges 5. 15 years crime and arrest free 6. Placement on Clemency Board preliminary review list 7. Approval requires vote of Governor plus two 8. Restoration of rights certificate issued 	<p style="text-align: center;"><u>New Process</u></p> <ol style="list-style-type: none"> 1. Complete sentence 2. Complete supervision 3. Pay victim restitution 4. Verify eligibility (investigation) and no pending charges 5. 15 years crime and arrest free 6. Placement on Clemency Board preliminary review list 7. 30 days for approval/requires vote of Governor plus two; if not approved, requires a full hearing and investigation 8. Restoration of rights certificate issued

ATTACHMENT A

HISTORY OF THE PROVISO REPORT 2001-2010

History of the Proviso Report 2001-2010

The following is a chronological history of events that have impacted the RCR clemency process for the past 9 years:

2001 A lawsuit filed against the Department regarding the Department's failure to assist inmates with the RCR application process as required by law (s. 944.293, F.S.) resulted in 150,000 cases being added to the Commission's pending RCR clemency workload as part of an agreement with the ACLU, the Department, and other parties. These "lawsuit" cases were given priority and placed ahead of other cases for processing.

2002 In March of 2002, the Clemency Board authorized the Commission and the Office of Executive Clemency to streamline the application process for restoration of civil rights. This resulted in a more "user friendly" one-page form requiring the most basic of information: name, address, and date of birth and directed the forms to be placed on the Commission's website: www.state.fl.us/fpc/exclem.html.

2002-03 The Governor recommended 14 new Parole Examiner positions to help in reducing the backlog of pending RCR *Without a Hearing* cases (today referred to as RCR *Level I Automatic* cases). These positions were approved by the Legislature in the 2002 Regular Session for FY 2002-03. During that period, over 120,000 offender files were reviewed for restoration of civil rights without a hearing eligibility. Having the additional Parole Examiner positions contributed significantly toward reducing the pending cases.

2003-04 The growth of clemency pending cases continued as a result of processing over 250,000 lawsuit and electronic applications over the past six years (1998-2004). Media attention and numerous RCR workshops held around the State were factors, along with the changes made to simplify the application process. These contributed to the increase in applications, while staffing of the Office of Executive Clemency remained unchanged.

2004 Beginning in 2004, a large volume of applications for all types of clemency continued to be submitted directly on-line through our website. Clemency Administration began notifying all individuals found ineligible for RCR *Without a Hearing* and provided information on how to proceed with the hearing process.

In June **2004**, Governor Bush praised the Commission and the Department for their efforts in completing the review of the 124,000 "lawsuit" clemency cases and in reducing the backlog of restoration of civil rights cases. These cases were processed through a monumental effort by Commission staff and a new streamlined application process, which included electronic applications submitted by the Department for individuals terminating supervision and ending prison terms. Governor Bush further noted, "As of June 1, 2004, the team has completed its work on 80% of these cases." As the lawsuit cases were completed, the pending "restoration of civil rights cases *with a hearing*" continued to grow. These cases require a more extensive review referred to as a "full investigation" and the Commission sought additional funding for FTEs to handle these cases, which was denied.

In December **2004**, the Rules of Executive Clemency were revised again to allow individuals convicted of certain crimes to be considered for RCR *without a hearing* if the person has remained crime and arrest free for either five to fifteen years depending on the severity of the offense. These revisions were applied to all

pending investigations and allowed for the conversion of many investigations which had previously required a hearing. Clemency Administration worked closely with Field Services and Information Services to provide training and database enhancements to ensure the implementation of these revisions.

2005 The 2005 Legislature directed OPPAGA to conduct a review of the Commission's major functions and to evaluate options for reducing the backlog in processing executive clemency applications (OPPAGA Report No. 06-15).

2006-07 Clemency Staff worked with the Commission's Information Technology staff over a six-month period to re-design the clemency database (Management Application of Cases "MAC" database) to be completed in late 2006. The 2006 Legislature added duties for clemency investigative staff in HB 7415 on seaport security when it gave the Commission the responsibility to investigate seaport security waivers for the Florida Department of Law Enforcement. This is the only statutory language requiring mandated timeframes to be met by clemency staff.

April 5, 2007 On April 5, 2007, Governor Crist and the Cabinet, acting as the Clemency Board, made significant changes to the Rules of Executive Clemency. These changes greatly expanded the number of ex-felons eligible to have their civil rights restored. Since April 5, 2007, the Commission has processed over 309,356 RCR Level I and Level II cases, with 153,190 individuals having their rights granted as of September 2010. This was accomplished in partnership with the Department, whose staff pre-screened almost 300,000 historical offender cases prior to the Commission's final RCR eligibility determination. For FY 2007-08, the Commission requested funding for 14 FTEs and \$839,349 from the Legislature to address the increased pending clemency cases. No funding was granted.

2008 The Commission requested 42 FTEs and \$2.3 million in funding from the Legislature to process the increased number of eligible ex-felons and to reduce the increasing pending clemency cases. No funding was granted.

2009 The Commission requested 20 FTEs and \$1.2 million in funding from the Legislature to fund the Governor and Clemency Board's clemency investigation workload and to address the pending clemency cases. No funding was granted.

2010 The Commission requested 20 FTEs and \$1.8 million in funding from the Legislature to fund the Governor and Clemency Board's clemency investigation workload and to address the pending clemency cases. No funding was granted.

ATTACHMENT B:

RCR CONTACT INFORMATION

CONTACT INFORMATION:

THE FLORIDA BOARD OF EXECUTIVE CLEMENCY



Charlie Crist
Governor



Bill McCollum
Attorney General



Alex Sink
*Chief Financial
Officer*



Charles Bronson
*Commissioner
Of Agriculture*

Persons seeking information on the Restoration of Civil Rights process should contact the Florida Parole Commission, Office of Executive Clemency:

Florida Parole Commission
4070 Esplanade Way
Tallahassee, Florida 32399-2450

Toll Free at: 1-800-435-8286

Phone at: 850-488-2952

Fax at: 850-488-0695

Email at: Clemencyweb@fpc.state.fl.us

Website at: <https://fpc.state.fl.us/clemency.htm>

or

www.FLrestoremyrights.com

Public Information, Public Records Requests, and Media Inquiries should be directed to Jane Tillman at 850-921-2816 or JaneTillman@fpc.state.fl.us.

ATTACHMENT C:

RCR OUTREACH ACTIVITIES FY 2009-10

RCR Outreach Activities FY 2009-10

Note: Commission employees volunteer their personal time to attend and work many events and are not compensated for work performed on nights and weekends.

January 16, 2010, Parole Examiners Tawanna Hays and Tom Hamilton of the Office of Executive Clemency, participated in a Re-Entry Resource Fair hosted by the Department of Corrections in Wakulla County, Florida, where they took requests for RCR and provided information related to the clemency process.

March 18, 2010, Chairman Fred Dunphy, Clemency Administration Director Steve Hebert, and Executive Clemency Coordinator Julie McCall, at the invitation of State Senators Tony Hill and Gary Siplin, and State Representative Darryl Rouson, spoke to members of the Omega Psi Phi Fraternity regarding RCR. Chairman Dunphy focused on the improvements and simplifications to the RCR process, while the Coordinator and Director fielded questions and provided answers for the approximately 100 seminar participants. Each attendee was provided educational RCR materials and posters for use in their home communities.

Ralph Moulder, Parole Examiner, Region II, made 4 RCR presentations at several Department Institutions for the Re-entry Program.

Felix Ruiz, Parole Examiner, Region II, was a presenter at the Re-entry Seminar held at Sumter Correctional Institution on April 16, 2010. Mr. Ruiz spoke on issues related to RCR.

Patti Harris Razor, Region V Administrator, and Pam Carwise, Parole Examiner, Region V, represented the Parole Commission and presented information regarding RCR at the April 14, 2010, Department's Transition Program held at Charlotte Correctional Institution.

Patti Harris Razor, Regional Administrator, Region V, continues to participate and serve on the Board of the Pinellas County Ex-Offender Re-entry Coalition.

Ben Pearce, Region I Administrator, made a presentation to students at Pensacola Jr. College on the Commission and Its Role in the Clemency Process.

Patti Harris-Razor, Region V Administrator, represented the Commission at the Annual Conference of the Florida ACLU held in Orlando in August presenting on *The Status of RCR in Florida* and *The Process of Getting One's Rights Restored*.

Terry Turner, Region III Administrator, is a member of the National Association of Drug Court Professionals and the Florida Association of Drug Court Professionals.

Terry Turner serves as President of the Board for the Brevard County Drug Court Program.

ATTACHMENT D

POSITION DESCRIPTIONS OFFICE OF EXECUTIVE CLEMENCY

**CLEMENCY COORDINATOR (1)
PAROLE EXAMINER (1)
ADMINISTRATIVE ASSISTANT II (1)
STAFF ASSISTANT (3)**

TOTAL FTEs: 6

CAREER SERVICE <input type="checkbox"/> SELECTED EXEMPT SERVICE <input checked="" type="checkbox"/> SENIOR MANAGEMENT SERVICE <input type="checkbox"/> OTHER <input type="checkbox"/>			
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(____)(____), F.S. Managerial <input checked="" type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/>	
NAME OF AGENCY: Florida Parole Commission		Organization Level: Current: 78030100000 Proposed:	
DIVISION/COMPARABLE: Executive Clemency		Position Number: 78002096	FTE: 1.0
BUREAU/COMPARABLE: Executive Clemency		Current Broadband Level Code: 11-9199-2	Current Class Title: Executive Clemency Coordinator-FPC Current Class Code: 0919
SECTION/SUBSECTION:		Proposed Broadband Level Code:	Proposed Class Title: Proposed Class Code:
HEADQUARTERS/COUNTY CODE: 037		Type of Transaction: Job Description being updated	
INCUMBENT: I		APPROVAL AUTHORITY USE ONLY	
POSITION ATTRIBUTES: EEO: 01 <input checked="" type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> _____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Broadband Level Code: 11-9199-2	Class Code: 0919
		Approved By:	
		Effective Date:	
		APPROVED BROADBAND OCCUPATION:	
		APPROVED CLASS TITLE:	
1. This position reports directly to: Position Number <u>78000002</u> Broadband Level Code <u>169948</u> Broadband Occupation _____ Class Code <u>9948</u> Class Title <u>Commissioner Chairman</u>			
2. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position: 43-6011-2- Administrative Assistant II- 0712- Position # 78003050, 43-6011-2- Staff Assistant Position #'s- 0120- 78000043,78002094,78002095 21-1092-3 - Parole Examiner -8127- Position # 78002051			
3. What statutes establish or define the work performed?			
4. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
5. Current budget for which this position is accountable (if applicable):			
_____ Salaries & Benefits		_____ O.P.S.	_____ Expenses
_____ F.C.O.		_____ Data Processing	_____ TOTAL ALLOTMENT
If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.			

6. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

% of Time

Duties and Responsibilities

75%

Administers and coordinates all functions pertaining to clemency matters involving the Governor and Cabinet, sitting as the Board of Executive Clemency. The incumbent represents the Clemency Board in the day-to-day activities of the Office of Executive Clemency working with applicants, attorneys, judges, law enforcement and investigative personnel, state agency officials, and the Department of Corrections.

Must possess a thorough knowledge of State and Federal Laws, rules and regulations pertaining to clemency, and include full knowledge of the following:

- Full Pardons
- Pardons Without Firearm Authority
- Restoration of Civil Rights for Florida Conviction
- Restoration of Civil Rights for Federal, Military, or Out-of-State Conviction
- Remission of Fines or Forfeitures
- Commutation of Sentences
- Specific Authority to Own, Possess or Use Firearms (Federal Firearms Laws)
- Restoration of Alien Status

25%

The Office of Executive Clemency performs the following functions:

Responds to routine correspondence and emails, faxes, telephone calls from parties involved in the processing of individual clemency applications on a case-by-case basis.

Examines applications for clemency, verifying that such applicant has met the requirements of the rules and then accepts or rejects the application. Correspondence is sent to applicants and their attorneys when applications have been rejected, citing the issue determining ineligibility. Advises the applicant or attorney on steps to re-file the application. Answers correspondence directed to the Board and forwarded to Executive Clemency regarding individual clemency applicant status.

Forwards acceptable applications to Clemency Administration for investigative review and final determination for eligibility.

Acts as liaison between the Clemency Board and the applicants and/or attorneys.

Notifies applicants and/or attorney, victims, etc. of the clemency hearings. Presents agenda at Clemency Board hearings. Prepares executive orders granting different types of clemency as directed by the Board. Circulates for signatures and keep track of where the orders are located and who has signed. Files originals with the Department of State Division of Elections. Mails copy of the order signed and certified by the Coordinator to the individual receiving clemency or the individual's attorney.

Schedules informal fact-finding hearings for Clemency Aides to hear testimonies on applications for waiver of rules hearings. Arranges details for hearings, including, date, time, place and written agenda. Notifies applicants and/or attorneys, prosecuting attorneys and victims of hearing time. Monitors allotted time and provides assistance and additional information for the Clemency Aides.

In certain cases, as directed by the Board, the Coordinator travels to the correctional institutions to meet with inmates and give instructions on conditional clemency being granted and additional assistance as required. In addition, the Coordinator must contact probation officers and staff at residential treatment centers to monitor these cases for compliance with the conditions.

Participates in the composition of various mandatory quarterly and yearly reports for the Parole Commission.

7. Knowledge, skills and abilities, including utilization of equipment, required for the position:
8. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
9. Other job-related requirements for this position:
10. Working hours: (A) Daily from 8:00am to 5:00pm (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)
11. **Agency Use Only –**
Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check
Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):	Date:	
Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/>	Title:	Date:
Supervisor's Signature:	Title:	Date:
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title:	Date:
Approval of Agency Personnel Officer:	Title:	Date:

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE <input checked="" type="checkbox"/> SELECTED EXEMPT SERVICE <input type="checkbox"/> SENIOR MANAGEMENT SERVICE <input type="checkbox"/> OTHER <input type="checkbox"/>			
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/>	
NAME OF AGENCY: Florida Parole Commission		<i>Organization Level:</i> Current: 78060505000 Proposed:	
DIVISION/COMPARABLE: Executive Clemency	Position Number: 78002051	FTE: 1.0	Security Role Code: E
BUREAU/COMPARABLE: Executive Clemency	<i>Current Broadband Level Code:</i> 21-1092-3	<i>Current Class Title:</i> Parole Examiner	<i>Current Class Code:</i> 8127
SECTION/SUBSECTION:	Proposed Broadband Level Code: 21-1092-3	Proposed Class Title: Parole Examiner	Proposed Class Code: 8127
HEADQUARTERS/COUNTY CODE: 037	Type of Transaction: Job Description being updated		
INCUMBENT:	APPROVAL AUTHORITY USE ONLY		
POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input checked="" type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input checked="" type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/>	<i>Broadband Level Code:</i> 21-1092-3	<i>Class Code:</i> 8127	<i>Approved By:</i> <i>Effective Date:</i>
Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>APPROVED BROADBAND OCCUPATION:</i> Probation Officer and Correction Treatment Specialist		
	<i>APPROVED CLASS TITLE:</i> Parole Examiner		

2. This position reports directly to: Position Number 78002096 Broadband Level Code 11-9199-2
 Broadband Occupation Managers, All others Class Code 0919 Class Title Executive Clemency Coordinator
3. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:
4. What statutes establish or define the work performed?
5. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes No

6. Current budget for which this position is accountable (if applicable):

Salaries & Benefits	O.P.S.	Expenses
F.C.O.	Data Processing	TOTAL ALLOTMENT

If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.

7. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

% of Time	Duties and Responsibilities
80%	Review applications for clemency to determine eligibility for civil rights restoration, alien status, full pardon and specific authority to own, possess or use firearm, and remission of fines and forfeitures. Conducts re-instatements of previously closed cases. Respond personally to questions or problems relative to the acceptance or rejection of applications received via postal service, telephone, fax, or web email. Advise attorneys and applicants of status or disposition of cases as required.
15%	Assist Coordinator by functioning as the Assistant Coordinator and performing all duties in Coordinator's absence. Assist Coordinator at pre-clemency meetings, clemency and waiver hearings. Prepare executive orders for signature by the Clemency Board Members when requested by Coordinator.
5%	Respond to requests for assistance by members of the Clemency Board. Work closely with Department of Corrections staff to ensure restitution payments are paid to the correct offices. Participates in the training of new staff.

8. Knowledge, skills and abilities, including utilization of equipment, required for the position:
 Knowledge of principles of executive clemency, parole, probation, corrections or law enforcement work.
 Knowledge of the principles of effective written and verbal communication
 Ability to conduct interviews and investigations
 Ability to prepare correspondence and reports that are professional in appearance and content.
9. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
10. Other job-related requirements for this position:
11. Working hours: (A) Daily from 8:00am to 5:00pm (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)
12. **Agency Use Only –**
Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check
Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):	Date:
Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/> Supervisor's Signature:	Title: _____ Date: _____
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title: _____ Date: _____
Approval of Agency Personnel Officer:	Title: _____ Date: _____

STATE OF FLORIDA

POSITION DESCRIPTION

CAREER SERVICE **SELECTED EXEMPT SERVICE** **SENIOR MANAGEMENT SERVICE** **OTHER** _____

POSITION LOCATION INFORMATION	Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/> _____		
NAME OF AGENCY: Florida Parole Commission	<i>Organization Level:</i> Current: _____ Proposed: _____		
DIVISION/COMPARABLE: Executive Clemency	Position Number: 78003050	FTE: 1.0	Security Role Code: E
BUREAU/COMPARABLE:	<i>Current Broadband Level Code:</i> 43-6011-03	<i>Current Class Title:</i> Administrative Assistant II	<i>Current Class Code:</i> 0120
SECTION/SUBSECTION:	<i>Proposed Broadband Level Code:</i>	<i>Proposed Class Title:</i>	<i>Proposed Class Code:</i>
HEADQUARTERS/COUNTY CODE: 037	Type of Transaction: Updating Job Description		
INCUMBENT:	APPROVAL AUTHORITY USE ONLY		
POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input checked="" type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input checked="" type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> _____	<i>Broadband Level Code:</i>	<i>Class Code:</i>	<i>Approved By:</i> _____ <i>Effective Date:</i> _____
	<i>APPROVED BROADBAND OCCUPATION:</i>		

Special Risk: Yes No

Overtime: Yes No

CAD: Yes No

APPROVED CLASS TITLE:

3. This position reports directly to: Position Number 78002096 Broadband Level Code 11-9190
Broadband Occupation Level 2 Manager Class Code 0919 Class Title Executive Clemency Coordinator

4. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:

N/A

5. What statutes establish or define the work performed? Section 940, Florida Statute

6. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes No

7. Current budget for which this position is accountable (if applicable): N/A

Salaries & Benefits

O.P.S.

Expenses

F.C.O.

Data Processing

TOTAL ALLOTMENT

If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.
N/A

8. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

% of Time

Duties and Responsibilities

35% Assigned rotating telephone duty responding to a high volume of callers requesting information regarding the complete process for restoration of civil rights, the clemency process and procedures, and various other subject areas related to clemency.

40% Personally handles telephone calls regarding policy and procedures for applying for waiver of rules. Advise applicants and attorneys the status of cases as requested. Process requests for waiver applications. Forward to Clemency Administration for recommendations, sends copies to Clemency Board, enters information into database, creates files, updates waiver list. Prepares correspondence for Coordinator's signature advising applicants/attorneys when waiver request have been granted or denied. Sends copy to Clemency Administration and Clemency Board. Enters disposition of case into database, transfers cases granted waiver to pending investigation file, Close files on cases denied waiver. Notifies victims and state attorneys of disposition of cases. Acknowledges correspondence regarding waiver cases and provides copies to Clemency Board and Clemency Administration. Prepares agenda for waiver hearings. Responsible for time management of waiver hearing.

15% Advises Clemency Aides of case status and any additional information as requested. Provides information on clemency granted to Supervisors of Elections, state attorneys, law enforcement, licensing agencies, legislative aides, and individuals.

5% Prepares agenda for quarterly clemency hearings. Notifies applicants and/or attorneys of clemency hearings and recommendations. Responsible for presentation of prepared executive orders Clemency Board for signatures. Notifies applicants and/or attorneys of final decision after clemency hearings. Responsible for updating database after clemency hearing. Provide applicants and/or attorneys with copies of executive orders after clemency hearing. File orders in appropriate files.

5% Prepares letters and memoranda from rough drafts on general correspondence and on case files for Coordinator. Performs other related duties as required or requested by the Coordinator or Clemency Board. Assists Coordinator with individuals and calls by providing requested information.

9. Knowledge, skills and abilities, including utilization of equipment, required for the position:

- Knowledge of Microsoft Word and Microsoft Excel.**
- Ability to work independently and make decisions under pressure.**
- Proficient in typing skills.**
- Knowledge of grammar, punctuation and spelling.**
- Proofreading skills.**
- Knowledge of basic filing practices.**
- Skilled in presenting information orally or in writing.**
- Skilled in applying problem-solving techniques in a variety of situations.**
- Ability to understand and apply applicable rules, regulations, policies and procedures.**
- Ability to plan, organize and coordinate work assignments.**

10. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
N/A

11. Other job-related requirements for this position:
Work overtime if needed with prior approval

12. Working hours: (A) Daily from 8:00am to 5:00pm (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

13. Agency Use Only –

- Check those that apply:** Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check

Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):

Date:

Discussed with Employee: Yes No
Supervisor's Signature:

Title:

Date:

Approval of Reviewing Authority: (Div. Director, Agency Head or other)

Title:

Date:

Approval of Agency Personnel Officer:

Title:

Date:

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE **SELECTED EXEMPT SERVICE** **SENIOR MANAGEMENT SERVICE** **OTHER** _____

POSITION LOCATION INFORMATION

Position Exempt Under 110.205(____)(____), F.S.
 Managerial Confidential Supervisory Other _____

NAME OF AGENCY: Florida Parole Commission

Organization Level:

Current:

Proposed:

DIVISION/COMPARABLE: Executive Clemency

Position Number:
78002094

FTE:
1.0

Security Role Code:

BUREAU/COMPARABLE:

*Current
Broadband Level
Code:*
43-6011-02

Current Class Title:
Staff Assistant

*Current
Class
Code:*
0120

SECTION/SUBSECTION:

**Proposed Broadband
Level Code:** 43-6011-
02

Proposed Class Title:
Staff Assistant

**Proposed
Class Code:**
0120

HEADQUARTERS/COUNTY CODE: 037

Type of Transaction: Updating Job Description

INCUMBENT:

APPROVAL AUTHORITY USE ONLY

POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input checked="" type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> _____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Broadband Level Code:</i>	<i>Class Code:</i>	<i>Approved By:</i>	<i>Effective Date:</i>
<i>APPROVED BROADBAND OCCUPATION:</i>				
<i>APPROVED CLASS TITLE:</i>				

4. This position reports directly to: Position Number 78002096 Broadband Level Code 11-9190
 Broadband Occupation Level 2 Manager Class Code 0919 Class Title Executive Clemency Coordinator
5. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:
 N/A
6. What statutes establish or define the work performed? Section 940, Florida Statute
7. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes No

8. Current budget for which this position is accountable (if applicable): N/A

Salaries & Benefits	O.P.S.	Expenses
F.C.O.	Data Processing	TOTAL ALLOTMENT

If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.
 N/A

9. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

% of Time	Duties and Responsibilities
35%	Assigned rotating telephone duty responding to a high volume of callers requesting information regarding the complete process for restoration of civil rights, the clemency process and procedures, and various other subject areas related to clemency.
60%	Responsible for preparing preliminary review list, executive orders and distribution of certificates of restoration of civil rights. Prepares correspondence advising applicants when objections are filed by Clemency Board Members. Makes copies of memos of eligibility received from Clemency Administration and file in applicant's file. Issues executive order number and records in record book. Types names into database and process preliminary review list for submission to Clemency Board for 20-day review. Enters name into database from DC4-322 forms and Department of Corrections computer printouts after Clemency Administration has certified all names as eligible. Prints list and proof errors. Keeps track of number of objections received on each case and ensures that all are received within the 20-day review period. Once the 20-day review is completed, executive order and list of names which were not objected to, and submits to the Clemency Board for signature. Track executive orders by contacting the Clemency Aides to the Board Members, and ensure that requisite numbers of signatures are received by the date the order is to be filled. When an order has been signed, type transmittal letters and certificates for Coordinator's signature, and mails to applicant with a copy to Clemency Administration. Enter information into data base. Sends executive order, with cover letter, to Secretary of

state for filing, keeps copy in office. Checks names of individuals which Department of Corrections have determined ineligible and submits letters to Secretary of State Office for removal from executive order.

5%

Returns applications that are incomplete or ineligible due to Rules of Executive Clemency with correspondence providing remedy for re-filing. Files cards and closed files. Typing and filing of additional correspondence related to Clemency.

10. Knowledge, skills and abilities, including utilization of equipment, required for the position:

- Knowledge of Microsoft Word and Microsoft Excel.**
- Ability to work independently and make decisions under pressure.**
- Proficient in typing skills.**
- Knowledge of grammar, punctuation and spelling.**
- Proofreading skills.**
- Knowledge of basic filing practices.**
- Skilled in presenting information orally or in writing.**
- Skilled in applying problem-solving techniques in a variety of situations.**
- Ability to understand and apply applicable rules, regulations, policies and procedures.**
- Ability to plan, organize and coordinate work assignments.**

11. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
N/A

12. Other job-related requirements for this position:
Work overtime if needed with prior approval

13. Working hours: (A) Daily from 8:00am to 5:00pm (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

14. **Agency Use Only –**
Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check
Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):	Date:
Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Supervisor's Signature:	Title: _____ Date: _____
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title: _____ Date: _____
Approval of Agency Personnel Officer:	Title: _____ Date: _____

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE <input checked="" type="checkbox"/> SELECTED EXEMPT SERVICE <input type="checkbox"/> SENIOR MANAGEMENT SERVICE <input type="checkbox"/> OTHER <input type="checkbox"/> _____			
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/> _____	
		<i>Organization Level:</i> Current: _____ Proposed: _____	
NAME OF AGENCY: Florida Parole Commission		DIVISION/COMPARABLE: Executive Clemency	
		Position Number: 7800043	FTE: 1.0
		Security Role Code:	

BUREAU/COMPARABLE:	<i>Current Broadband Level Code:</i> 43-6011-02	<i>Current Class Title:</i> Staff Assistant	<i>Current Class Code:</i> 0120
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SECTION/SUBSECTION:	Proposed Broadband Level Code: 43-6011-02	<i>Proposed Class Title:</i> Staff Assistant	Proposed Class Code: 0120
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HEADQUARTERS/COUNTY CODE: 037	Type of Transaction: Updating Job Description		
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INCUMBENT:	APPROVAL AUTHORITY USE ONLY		
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POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input checked="" type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input checked="" type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> ____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Broadband Level Code:</i>	<i>Class Code:</i>	<i>Approved By:</i>	<i>Effective Date:</i>
	<i>APPROVED BROADBAND OCCUPATION:</i>			
	<i>APPROVED CLASS TITLE:</i>			

5. This position reports directly to: Position Number 78002096 Broadband Level Code 11-9190
 Broadband Occupation Level 2 Manager Class Code 0919 Class Title Executive Clemency Coordinator

6. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:
 N/A

7. What statutes establish or define the work performed? Section 940, Florida Statute

8. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes No

9. Current budget for which this position is accountable (if applicable): N/A

Salaries & Benefits	O.P.S.	Expenses
F.C.O.	Data Processing	TOTAL ALLOTMENT

If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.
 N/A

10. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

% of Time	Duties and Responsibilities
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- 35% Assigned rotating telephone duty responding to a high volume of callers requesting information regarding the complete process for restoration of civil rights, the clemency process and procedures, and various other subject areas related to clemency.
- 10% Retrieves mail, opens, time stamps, sorts, and distributes to appropriate employee or section.
- 5% Independently prepares routine correspondence for Coordinator's signature regarding clemency status inquiries.
- 50% Independently reviews all applications received by the Office of Executive Clemency for restoration of civil rights and clemency. Sole responsibility for entering the applications in the data base which commences the process. If application is not submitted properly, prepares correspondence to address deficiencies in the submissions and returns documents to the sender.

11. Knowledge, skills and abilities, including utilization of equipment, required for the position:

- Knowledge of Microsoft Word and Microsoft Excel.**
- Ability to work independently and make decisions under pressure.**
- Proficient in typing skills.**
- Knowledge of grammar, punctuation and spelling.**
- Proofreading skills.**
- Knowledge of basic filing practices.**
- Skilled in presenting information orally or in writing.**
- Skilled in applying problem-solving techniques in a variety of situations.**
- Ability to understand and apply applicable rules, regulations, policies and procedures.**
- Ability to plan, organize and coordinate work assignments.**

12. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
N/A

13. Other job-related requirements for this position:
Work overtime if needed with prior approval

14. Working hours: (A) Daily from 8:00am to 5:00pm (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

15. **Agency Use Only –**
Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check
Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):		Date:
Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/>	Title:	Date:
Supervisor's Signature:	Title:	Date:
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title:	Date:
Approval of Agency Personnel Officer:	Title:	Date:

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE <input checked="" type="checkbox"/> SELECTED EXEMPT SERVICE <input type="checkbox"/> SENIOR MANAGEMENT SERVICE <input type="checkbox"/> OTHER <input type="checkbox"/> _____			
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/> _____	
NAME OF AGENCY: Florida Parole Commission		<i>Organization Level:</i> Current: _____ Proposed: _____	
DIVISION/COMPARABLE: Executive Clemency		Position Number: 78002095	FTE: 1.0
BUREAU/COMPARABLE:		Current Broadband Level Code: 43-6011-02	Current Class Title: Staff Assistant Current Class Code: 0120
SECTION/SUBSECTION:		Proposed Broadband Level Code: 43-6011-02	Proposed Class Title: Staff Assistant Proposed Class Code: 0120
HEADQUARTERS/COUNTY CODE: 037		Type of Transaction: Updating Job Description	
INCUMBENT:		APPROVAL AUTHORITY USE ONLY	
POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input checked="" type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input checked="" type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> _____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Broadband Level Code: _____	Class Code: _____
		Approved By: _____	Effective Date: _____
		APPROVED BROADBAND OCCUPATION: _____	
		APPROVED CLASS TITLE: _____	
6. This position reports directly to: Position Number <u>78002096</u> Broadband Level Code <u>11-9190</u> Broadband Occupation <u>Manager, All others</u> Class Code <u>0919</u> Class Title <u>Executive Clemency Coordinator-FPC</u>			
7. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position: <u>N/A</u>			
8. What statutes establish or define the work performed? Section 940, Florida Statute			
9. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
10. Current budget for which this position is accountable (if applicable): <u>N/A</u>			
_____		_____	
Salaries & Benefits	O.P.S.	Expenses	
_____		_____	
F.C.O.	Data Processing	TOTAL ALLOTMENT	
If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation. <u>N/A</u>			

11. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

% of Time	Duties and Responsibilities
35%	Assigned rotating telephone duty responding to a high volume of callers requesting information regarding the complete process for restoration of civil rights, the clemency process and procedures, and various other subject areas related to clemency.
60%	Respond to emails, postal letters, faxes and telephone calls from law enforcement and States Attorney's Offices requiring verification of Restoration of Civil Rights and all other forms of clemency. Prepare the "Gold Seal" verification document along with a business letter. Documents are then forwarded to the Coordinator for signature. Mail the "Gold Seal" letter to the requesting agency and update internal tracking data base. File the original "Gold Seal" request along with a copy of the "Gold Seal" Letter. Maintain the records retention for Gold Seal request ensuring that we keep what is necessary and properly disposing of eligible records that have met the retention requirements.
5%	Prepare closed status letters to ineligible applicants which have been reviewed by examiners in Clemency Administration.

12. Knowledge, skills and abilities, including utilization of equipment, required for the position:

- Knowledge of Microsoft Word and Microsoft Excel.**
- Ability to work independently and make decisions under pressure.**
- Proficient in typing skills.**
- Knowledge of grammar, punctuation and spelling.**
- Proofreading skills.**
- Knowledge of basic filing practices.**
- Skilled in presenting information orally or in writing.**
- Skilled in applying problem-solving techniques in a variety of situations.**
- Ability to understand and apply applicable rules, regulations, policies and procedures.**
- Ability to plan, organize and coordinate work assignments.**

13. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
N/A

14. Other job-related requirements for this position:
Work overtime if needed with prior approval

15. Working hours: (A) Daily from 8:00am to 5:00pm (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

16. **Agency Use Only –**
Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check
Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):	Date:	
Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/> Supervisor's Signature:	Title:	Date:
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title:	Date:
Approval of Agency Personnel Officer:	Title:	Date:

ATTACHMENT E:

POSITION DESCRIPTIONS

OFFICE OF CLEMENCY ADMINISTRATION

DIRECTOR (1)

OPERATIONS & PLANNING COORDINATOR (1)

ADMINISTRATIVE ANALYST-(CAPITAL PUNISHMENT)

RESEARCH SPECIALIST FPC (1)

PAROLE EXAMINER (5)

PAROLE EXAMINER (PART-TIME) (2)

EXECUTIVE SECRETARY (1)

STAFF ASSISTANT (1)

TOTAL FTES: 11

OFFICE OF OPERATIONS/VICTIMS' SERVICES SECTION

CLEMENCY/VICTIM'S ADVOCATE (1)

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE <input type="checkbox"/> SELECTED EXEMPT SERVICE <input type="checkbox"/> SENIOR MANAGEMENT SERVICE <input checked="" type="checkbox"/> OTHER <input type="checkbox"/>					
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/>			
		NAME OF AGENCY: Florida Parole Commission			
DIVISION/COMPARABLE: Office of Clemency Administration		Organization Level: Current: 7800 Proposed:			
BUREAU/COMPARABLE: Office of Clemency Administration		Position Number: 00037	FTE: 1		
SECTION/SUBSECTION:		Proposed Broadband Level Code:	Security Role Code: M		
HEADQUARTERS/COUNTY CODE: 0037		Type of Transaction: Updating Job Description			
INCUMBENT:		APPROVAL AUTHORITY USE ONLY			
POSITION ATTRIBUTES: EEO: 01 <input checked="" type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input checked="" type="checkbox"/> Other <input type="checkbox"/> _____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Broadband Level Code:	Class Code:		
		Approved By:		Effective Date:	
		APPROVED BROADBAND OCCUPATION:			
		APPROVED CLASS TITLE:			
7. This position reports directly to: Position Number <u>78000002</u> Broadband Level Code <u>169948</u> Broadband Occupation _____ Class Code <u>9948</u> Class Title <u>Commissioner/Chairman</u>					
8. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position: 11-1021-02, Operations and Planning Coordinator, 8050, Position #03008, Tallahassee 13-1111-03, Administrative Analyst, 8138, Position #01799, Tallahassee 43-6011-02, Executive Secretary, 0114, Position #00021, Tallahassee 43-6011-02, Staff Assistant, 0120, Position #02057, Tallahassee 21-1092-03, Parole Examiner, 8127, Position #03077, #03078, #03082, #02034, #02080, 02081, Tallahassee 21-1092-04, Parole Examiner Supervisor, 8133, Position #03076, Tallahassee					
9. What statutes establish or define the work performed? 947.04, F.S.					
10. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
11. Current budget for which this position is accountable (if applicable):					

Salaries & Benefits

O.P.S.

Expenses

F.C.O.

Data Processing

TOTAL ALLOTMENT

If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.

12. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

% of Time

Duties and Responsibilities

This position reports directly to the Chairman of the Florida Parole Commission and is responsible for the management of all activities and programs of the Office of Clemency Administration in accordance with Florida Statute 947.04. Develops procedures and recommends policies relating to clemency investigations.

- 20% Directs and coordinates workload, deadlines, work objectives, and time utilization with all staff in the Office of Clemency Administration and evaluates employees through established evaluation criteria and responsibilities.
- 10% Directs an efficient system for receipt of clemency applications from the Office of Executive Clemency and referral for investigations to field offices.
- 10% Directs a quality assurance program related to the review of all eligible Level 1 Automatic Approval Restoration of Civil Rights (RCR) cases prior to placement on an Executive Order by the Office of Executive Clemency.
- 8% Establishes directions, guidelines and training manuals to regional field offices for the conduct of clemency field investigations. Leads monthly teleconference calls with field Regional Administrators and Supervisors.
- 7% Responsible for overseeing and making requests for design, development, support and enhancements to the Management of Application for Clemency (MAC) database; works with DC OIT to coordinate all modifications to the clemency database.
- 5% Reviews or directs the review of each clemency file for quality assurance, including completeness, accuracy and clarity, and supplements/edits the final report on all Confidential Case Analyses submitted to the Governor and Cabinet. Provides for Commission review and vote, and finalizes the Commission recommendation for the report.
- 2% Assigns Level 1 RCR cases to Regional Administrators of field offices.
- 2% Attends hearings before the Governor and Cabinet, acting as the Board of Executive Clemency, and assists the Chairman when clemency cases are considered by the Board. Attends and represents the Commission in meetings and responds to questions from Clemency Aides prior to each quarterly Clemency Board Meeting.
- 5% Directs the investigative and interview process of capital punishment cases referred by the Governor's office for clemency consideration. Upon completion of an investigation and interview, case brief, and compilation of other court and Department of Corrections records, a comprehensive case packet is provided to the Board of Executive Clemency.
- 5% Directs the investigative and interview process for all Seaport Security Waiver cases received from the Florida Department of Law Enforcement (FDLE). Upon completion of an investigation in compliance with established guidelines, a fact-finding report along with the complete application packet is provided to FDLE within in 90 days of receipt of the original application.
- 5% Assists in the development of clemency information in agency reports such as the Long Range Program Plan, Performance Measures, Legislative Budget Requests, Annual Report and Proviso Report on the Restoration of Civil Rights (RCR) to the Legislature. Assists the Director of Communications and Legislative Affairs in correspondence to legislative offices pertaining to clemency matters. Directs and approves the development of clemency data in response to requests made by government agencies, the Legislature, Clemency Board Members, and public records requests.
- 5% Directs the review of all requests for waiver of the rules in cases referred by the Office of Executive Clemency to provide for accurate and complete reports to be reviewed by the Commission and the Board of Executive Clemency. Directs the attendance by staff at hearings held before the Clemency Aides when requests for waivers are presented by applicants, attorneys, family members, etc. State Attorneys, victims and victim's families may also attend to express opposition.

- 1% Coordinates with the Department of Corrections the release of clemency applicants who have been granted commutations of sentence by the Board of Executive Clemency. Monitor the progress of clemency applicants who have been granted conditional commutations of sentence and are under the supervision of probation officers, and forward quarterly progress reports to the Board of Executive Clemency.
- 2% Coordinates with the Commission's clemency victim advocate to ensure that victims and victim's families are located, contacted and afforded comments in various types of clemency investigations.
- 2% Directs the retention of inactive clemency investigation files to the State Records Center for storage purposes and efficient retrieval.
- 3% Provides training and educational materials related to the RCR process, the Rules of Executive Clemency, and the clemency investigation process to citizens and community groups, legislative staff, supervisors of elections, and other criminal justice agencies and organizations.
- 5% Responds to routine correspondence and emails, faxes, telephone calls from parties involved in the processing of individual clemency applications on a case-by-case basis.
- 3% Performs other managerial and administrative duties as required and as assigned by the Commission Chairman or in response to requests made by the Governor and Cabinet.

13. Knowledge, skills and abilities, including utilization of equipment, required for the position:

- Ability to work independently
- Ability to work under stressful conditions
- Ability to initiate and conduct interviews
- Ability to conduct thorough investigations
- Ability to meet deadlines
- Ability to communicate effectively, verbally and in writing with public officials in all areas of Local, State and Federal Governments
- Ability to use and interpret data found in Criminal Justice Databases
- Ability to plan, organize and coordinate work assignments
- Ability to organize and lead a team on special projects
- Ability to analyze and interpret data
- Ability to understand and apply laws, rules, regulations, policies and procedures
- Ability to properly handle matters of highly confidential nature
- Ability to supervise subordinates
- Skill in using a personal computer to compose reports and access information
- Skill in proofreading
- Knowledge of Microsoft Word and Excel
- Knowledge of criminal justice principles and practices, legal terminology and methods and techniques of reviewing, researching and summarizing criminal and social data
- Knowledge of the principles of executive clemency, parole, probation, corrections or law enforcement work
- Knowledge of the Criminal Justice System, Codes, & Statutes

14. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):

15. Other job-related requirements for this position:

16. Working hours: (A) Daily from 8:00am to 5:00pm (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

17. Agency Use Only –

- Check those that apply:** Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check

Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):

Date:

Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/> Supervisor's Signature:	Title:	Date:
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title:	Date:
Approval of Agency Personnel Officer:	Title:	Date:

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE **SELECTED EXEMPT SERVICE** **SENIOR MANAGEMENT SERVICE** **OTHER**

POSITION LOCATION INFORMATION	Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/>		
	<i>Organization Level:</i>		

NAME OF AGENCY: FLORIDA PAROLE COMMISSION	<i>Current:</i>			<i>Proposed:</i>		
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DIVISION/COMPARABLE: OFFICE OF CLEMENCY ADMINISTRATION	Position Number: 7803008	FTE: 1.00	Security Role Code: E
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BUREAU/COMPARABLE: OFFICE OF CLEMENCY ADMINISTRATION	<i>Current Broadband Level Code:</i> 11-1021-02	<i>Current Class Title:</i> OPERATIONS & PLANNING COORDINATOR	<i>Current Class Code:</i> 8050
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SECTION/SUBSECTION:	<i>Proposed Broadband Level Code:</i>	<i>Proposed Class Title:</i>	<i>Proposed Class Code:</i>
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HEADQUARTERS/COUNTY CODE: 0037	Type of Transaction:		
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INCUMBENT:	APPROVAL AUTHORITY USE ONLY		
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POSITION ATTRIBUTES: EEO: 01 <input checked="" type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input checked="" type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Broadband Level Code:</i>	<i>Class Code:</i>	<i>Approved By:</i>	<i>Effective Date:</i>
	<i>APPROVED BROADBAND OCCUPATION:</i>			
	<i>APPROVED CLASS TITLE:</i>			

8. This position reports directly to: Position Number 78000037 Broadband Level Code 10-1021-01
Broadband Occupation _____ Class Code 7931 Class Title DIRECTOR OF CLEMENCY ADMINISTRATION

9. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:

10. What statutes establish or define the work performed?

11. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes No

12. Current budget for which this position is accountable (if applicable):

Salaries & Benefits	O.P.S.	Expenses
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If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.

13. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

**% of
Time**

Duties and Responsibilities

This position reports to the Director of Clemency Administration and serves three functions: 1) as the data manager for the Commission, 2) as a supervisor in Clemency Administration and 3) as the Records Management Liaison Officer for the Commission.

30%

The incumbent assists the Director of Clemency Administration, the Director of Administration and the Director of Communications with Long Range Program Planning, Performance Measures, Legislative Budget Requests, and the Annual Report. The incumbent extracts, analyzes, prepares and compiles data for use by management as well as in response to requests from other governmental agencies, the Legislature, private groups, the media and other interested parties regarding the Commission's workload data. The incumbent also provides training to managers on issues pertinent to research, statistical analysis and performance based budgeting.

65%

The incumbent assists the Director of Clemency Administration by supervising a team of Parole Examiners conducting Restoration of Civil Rights investigations and also oversees the Quality Assurance program for TOS/ EOS Level I Automatic Restoration of Civil Rights investigations.

The incumbent directs and coordinates workload, deadlines, work objectives, and time utilization with assigned employees and evaluates employees through established evaluation criteria and responsibilities.

The incumbent reviews and assigns cases to Parole Examiners for quality assurance and supervisory case reviews and prepares Quality Assurance reports for management review.

The incumbent conducts Level 1 investigations using FCIC/NCIC, CCIS, MAC, CDC, DAVID, PACER, and by correspondence, fax, email, and telecommunications with other state, local and federal jurisdictions.

The incumbent reports and recommends changes needed to the MAC database.

The incumbent reports any data integrity issues and makes change recommendations.

The incumbent prepares upon request, ad-hoc reports and internal monthly status reports that may include the status of all Clemency applications that were granted, completed, received or pending and may include other requested information.

5%

The incumbent is also the Records Management Liaison Officer for records retention, storage, and disposition and also oversees the internal records database for the Office of Clemency Administration.

14. Knowledge, skills and abilities, including utilization of equipment, required for the position:

- Ability to work independently
- Ability to work under stressful conditions
- Ability to initiate and conduct interviews
- Ability to conduct thorough investigations
- Ability to meet deadlines
- Ability to communicate effectively, verbally and in writing
- Ability to use and interpret data found in Criminal Justice Databases
- Ability to plan, organize and coordinate work assignments
- Ability to organize and lead a team on special projects
- Ability to analyze and interpret data
- Ability to develop methodology and prepare ad-hoc reports data extracts upon request
- Ability to use Microsoft ACCESS, EXCEL and WORD and POWERPOINT.
- Ability to understand and apply laws, rules, regulations, policies and procedures.
- Ability to properly handle matters of highly confidential nature.
- Knowledge of criminal justice principles and practices, legal terminology and methods and techniques of reviewing, researching and summarizing criminal and social data.
- Knowledge of the principles of executive clemency, parole, probation, corrections or law enforcement work.
- Knowledge of the Criminal Justice System, Codes, & Statutes

15. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
FCIC/NCIC

16. Other job-related requirements for this position:

17. Working hours: (A) Daily from 8:00 AM to 5:00 PM (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

18. Agency Use Only –

- Check those that apply:** Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check

Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):

Date: 09/17/2010

Discussed with Employee: Yes No
Supervisor's Signature:

Title:

Date:

Approval of Reviewing Authority: (Div. Director, Agency Head or other)

Title:

Date:

Approval of Agency Personnel Officer:

Title:

Date:

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE <input type="checkbox"/> SELECTED EXEMPT SERVICE <input checked="" type="checkbox"/> SENIOR MANAGEMENT SERVICE <input type="checkbox"/> OTHER <input type="checkbox"/>			
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(2N)(1A), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input checked="" type="checkbox"/>	
		NAME OF AGENCY: FLORIDA PAROLE COMMISSION <i>Organization Level:</i> Current: 78030000 Proposed: 78030000	
DIVISION/COMPARABLE: CLEMENCY ADMINISTRATION	Position Number: 78001799	FTE: 1.0	Security Role Code: E
BUREAU/COMPARABLE: CLEMENCY ADMINISTRATION	<i>Current Broadband Level Code:</i> 13-1111-3	<i>Current Class Title:</i> ADMINISTRATIVE ANALYST	<i>Current Class Code:</i> 8138

SECTION/SUBSECTION:	Proposed Broadband Level Code:	<i>Proposed Class Title:</i>	Proposed Class Code: 8138		
HEADQUARTERS/COUNTY CODE: 0037	Type of Transaction: UPDATE JOB DESCRIPTION				
INCUMBENT:	APPROVAL AUTHORITY USE ONLY				
POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input checked="" type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input checked="" type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input checked="" type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> _____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Broadband Level Code:</i>	<i>Class Code:</i>	<i>Approved By:</i>	<i>Effective Date:</i>	
	<i>APPROVED BROADBAND OCCUPATION:</i>				
	<i>APPROVED CLASS TITLE:</i>				
9. This position reports directly to: Position Number <u>78000037</u> Broadband Level Code <u>10-1021-01</u> Broadband Occupation <u>Executive</u> Class Code <u>8160</u> Class Title <u>Director of Clemency Administration</u>					
10. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:					
11. What statutes establish or define the work performed?					
12. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>					
13. Current budget for which this position is accountable (if applicable):					
_____	_____	_____			
Salaries & Benefits	O.P.S.	Expenses			
_____	_____	_____			
F.C.O.	Data Processing	TOTAL ALLOTMENT			
If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.					
14. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.					

% of
Time

Duties and Responsibilities

This position reports to the Director of Clemency Administration and serves three functions: 1) the Capital Punishment Research Specialist, 2) handles all matters related to Seaport Security Waiver Investigations and 3) serves as a supervisor in Clemency Administration.

- 25%** Researches, conducts and prepares an in-depth study of Federal, Supreme and Circuit Court files as well as the Department of Corrections' files, reviewing all of the criminal and social history information available, legal documents, trial transcripts, appeals (before and after a death warrant is signed), motions, petitions and responses filed in the courts concerning capital punishment cases and their co-defendants. Maintains a working knowledge and certification of various criminal justice systems (FCIC/NCIC, CDC, IRIS, CCIS, DAVID).
- 10%** Provides direction and guidelines to the field staff for the preparing of confidential investigations of capital punishment cases. Evaluates the complete researched information and assemble the comprehensive investigation packet containing the collection of detailed information, summarization of the legal data and circumstances of the offense for the presentation to the Board of Executive Clemency.
- 10%** Coordinates the scheduling of the clemency interview at the prison by the Commission with the inmate and his counsel. Provides all correspondence necessary to complete the clemency interview notice to the prison staff and court reporter to record the proceedings. Ensures that the Commissioners are completely briefed with all information prior to the clemency interview and assisting in various informational and procedural matters.
- 10%** Briefs and maintains confidential informational regarding capital punishment cases to assist the Governor's Legal Counsel on capital cases investigated and interviewed prior to presentation to the Board of Executive Clemency. Attends and assist the Chairman of the Commission at capital punishment hearings before the Board of Executive Clemency as arguments regarding commutation are presented.
- 05%** Initiates and directs correspondence and or personal contact with all criminal justice and other governmental agencies and the general public to develop confidential information needed in the capital punishment and general clemency cases.
- 20%** Receives Seaport Security Waiver Packets for investigation from the Florida Department of Law Enforcement (FDLE). Screens packets prior to assignment to regional field office to ensure packets submitted include all proper and relevant documents as required by guidelines. Coordinates and manages the assignment of Seaport Security Waiver Investigations with regional field offices. Performs quality assurance of the Seaport Security Waiver Investigations submitted from regional field offices to ensure compliance with established guidelines before the submission of the investigation to the Director. Maintains the Seaport Security Waiver Investigation database. Participates in conjunction with FDLE in the development of Seaport Security Waiver guidelines and forms. Liaison on behalf of the Commission in regard to all Seaport matters.
- 15%** Supervises, evaluates and motivates a team of Parole Examiners daily routines, authorizing leave request submitted. Conducts quality assurance reviews of restoration of civil rights (RCR) cases completed by these examiners. Participates with the Director in staff training and development of procedures. Assists Director in managerial and administrative duties as requested. Assists in the development and recommendations of policies relating to capital punishment, seaport investigations and general clemency.
- 05%** Assists with the critique of confidential clemency field investigations submitted from regional field offices to insure compliance with established policy and procedure before the submission of the report to the Commission and Board of Executive Clemency.

15. Knowledge, skills and abilities, including utilization of equipment, required for the position:

Knowledge of criminal justice principles and practices, legal terminology and methods and techniques of reviewing, researching and summarizing criminal and social data.
Knowledge of the principles of executive clemency, parole, probation, corrections and law enforcement work.
Ability to understand and apply laws, rules, regulations, policies and procedures.
Ability to supervise subordinates.
Skill in using a personal computer to compose reports and access information.
Ability to communicate effectively, verbally and in writing.
Ability to maintain effective working relationships, to plan, organize and coordinate work assignments.
Ability to conduct interviews and investigations; to communicate concise and accurate information.
Ability to analyze and interpret data.
Ability to properly handle matters of highly confidential nature.

16. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
FCIC/NCIC

17. Other job-related requirements for this position:

18. Working hours: (A) Daily from 8:00 a.m. to 5:00 p.m. (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

19. Agency Use Only –

Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check
Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):	Date:
Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/> Supervisor's Signature:	Title: _____ Date: _____
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title: _____ Date: _____
Approval of Agency Personnel Officer:	Title: _____ Date: _____

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE **SELECTED EXEMPT SERVICE** **SENIOR MANAGEMENT SERVICE** **OTHER**

POSITION LOCATION INFORMATION	Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/>		
NAME OF AGENCY: FLORIDA PAROLE COMMISSION	<i>Organization Level:</i> Current: _____ Proposed: _____		
DIVISION/COMPARABLE: CLEMENCY ADMINISTRATION	Position Number: 78002081	FTE: 1.0	Security Role Code: e
BUREAU/COMPARABLE: CLEMENCY ADMINISTRATION	<i>Current Broadband Level Code:</i> 21-1092-03	<i>Current Class Title:</i> PAROLE EXAMINER	<i>Current Class Code:</i> 8127
SECTION/SUBSECTION:	<i>Proposed Broadband Level Code:</i>	<i>Proposed Class Title:</i>	<i>Proposed Class Code:</i>

HEADQUARTERS/COUNTY CODE: 0037 Type of Transaction: UPDATE JOB DESCRIPTION

INCUMBENT: **APPROVAL AUTHORITY USE ONLY**

POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input checked="" type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input checked="" type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> _____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Broadband Level Code:</i>	<i>Class Code:</i>	<i>Approved By:</i>	<i>Effective Date:</i>
<i>APPROVED BROADBAND OCCUPATION:</i>				
<i>APPROVED CLASS TITLE:</i>				

10. This position reports directly to: Position Number 78000037 Broadband Level Code 10-1021-01
 Broadband Occupation EXECUTIVE Class Code 8160 Class Title DIRECTOR OF CLEMENCY ADMINISTRATION

11. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:

12. What statutes establish or define the work performed?

13. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes No

14. Current budget for which this position is accountable (if applicable):

Salaries & Benefits

O.P.S.

Expenses

F.C.O.

Data Processing

TOTAL ALLOTMENT

If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.

15. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

% of Time

Duties and Responsibilities

The incumbent conducts investigations for Restoration of Civil Rights eligibility for Level 1 cases, Expiration of Sentence (EOS) cases and Termination of Sentence (TOS) cases. The incumbent will also conduct Quality Assurance Reviews of Level 1 eligible cases to ensure accuracy.

90%

Processing Restoration of Civil Rights Cases

The incumbent conducts eligibility investigations that are not limited to Level 1 applications, Expiration of Sentence (EOS) applications, and Termination of Sentence (TOS) applications to determine eligibility for automatic Restoration of Civil Rights or Alien Status under the current rules of Executive Clemency, and reports the findings to the Director of Clemency Administration for Clemency Board consideration.

The incumbent conducts Quality Assurance investigative reviews of Level 1 eligible cases without a hearing to ensure the accuracy of Restoration of Civil Rights investigations completed by field Parole Examiners, and reports the findings to the supervisor and the Director of Clemency Administration.

Performs other duties to include:

10%

The incumbent conducts Level 1 investigations by analyzing and ensuring the accuracy of existing case information by using databases such as FCIC/NCIC, CCIS, MAC, CDC, DAVID, IRIS, SSDI, Clerk of Courts, P.A.C.E.R., and through correspondence, via fax, email, and telecommunications with state, local and federal jurisdictions.

The incumbent prepares confidential case analysis (CCA) and supplemental reports per the request of the Clemency Board.

The incumbent assists the Director of Clemency Administration in the review and processing of the clemency case workload and special initiatives of the Board of Executive Clemency.

The incumbent may be designated as the TOS/EOS Parole Examiner of the Day and assist staff with incoming telephone calls, mail, and email, by answering questions and correspondence related to Restoration of Civil Rights from applicants and applicants' families.

The incumbent may receive Restoration of Civil Rights request over the telephone and submit them for review.

The incumbent provides monthly statistics (PBB) on various task and assignments conducted and/or completed.

The incumbent may also be required to perform other duties related to Clemency.

16. Knowledge, skills and abilities, including utilization of equipment, required for the position:

Knowledge of the Criminal Justice System, Codes, & Statutes

Ability to work independently

Ability to work under stressful conditions

Ability to initiate and conduct interviews

Ability to conduct thorough investigations

Ability to meet deadlines

Ability to communicate effectively, verbally and in writing

Computer Skills

Understanding and knowledge of Criminal Justice Databases

17. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):

Must be FCIC/NCIC certified

18. Other job-related requirements for this position:

19. Working hours: (A) Daily from 8:00 AM to 5:00 PM (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

20. Agency Use Only –

Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening

Security Check: No security screen required Background investigation required Background & fingerprint required

Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management

Sensitive Agency Security Check

Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):

Date:

Discussed with Employee: Yes No

Supervisor's Signature:

Title:

Date:

Approval of Reviewing Authority: (Div. Director, Agency Head or other)

Title:

Date:

Approval of Agency Personnel Officer:

Title:

Date:

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE <input checked="" type="checkbox"/> SELECTED EXEMPT SERVICE <input type="checkbox"/> SENIOR MANAGEMENT SERVICE <input type="checkbox"/> OTHER <input type="checkbox"/>			
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/> ____	
		<i>Organization Level:</i> Current: Proposed:	
NAME OF AGENCY: Florida Parole Commission		Position Number: 78003077	
DIVISION/COMPARABLE: Clemency Administration		FTE: 1.0	Security Role Code: E

BUREAU/COMPARABLE: Clemency Administration	<i>Current Broadband Level Code:</i> 21-1092-03	<i>Current Class Title:</i> Parole Examiner	<i>Current Class Code:</i> 8127
SECTION/SUBSECTION:	Proposed Broadband Level Code:	<i>Proposed Class Title:</i>	Proposed Class Code:
HEADQUARTERS/COUNTY CODE: 0037	Type of Transaction: Update Job Description		
INCUMBENT:	APPROVAL AUTHORITY USE ONLY		
POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input checked="" type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input checked="" type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> ____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Broadband Level Code:</i>	<i>Class Code:</i>	<i>Approved By:</i> <i>Effective Date:</i>
	<i>APPROVED BROADBAND OCCUPATION:</i>		
	<i>APPROVED CLASS TITLE:</i>		
11. This position reports directly to: Position Number <u>7800037</u> Broadband Level Code <u>10-1021-1</u> Broadband Occupation <u>Executive</u> Class Code <u>8160</u> Class Title <u>Director of Clemency Administration</u>			
12. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:			
13. What statutes establish or define the work performed?			
14. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
15. Current budget for which this position is accountable (if applicable):			
_____	_____	_____	
Salaries & Benefits	O.P.S.	Expenses	
_____	_____	_____	
F.C.O.	Data Processing	TOTAL ALLOTMENT	
If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.			
16. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.			
% of Time			

Under direction of the Director of Clemency Administration, the incumbent's major function is to prepare Waiver reports on applicants requesting a Waiver of the Rules of Executive Clemency in order to apply for various types of clemency (e.g., Commutation of Sentence, Full Pardon, Pardon without Firearm Authority, Specific Authority to Own, Possess or Use Firearms) for the Commissioners, Clemency Aides and the Board of Executive Clemency.

10%

The incumbent screens files prior to investigation to ensure, all proper and relevant documents, have been submitted by the applicant as required, for the offense(s) in which a Waiver of the Rules of Executive Clemency is requested and to determine if there are any pending restitution issues or pending criminal charges.

40%

The incumbent conducts investigations by analyzing and ensuring the accuracy of existing case information and using databases such as eAgent, CCIS, MACNet, CDC, DAVID, IRIS, SSDI, Clerk of Courts, P.A.C.E.R., and through correspondence, fax, email, and telecommunications with state, local and federal jurisdictions that may include other state or federal prisons, probation offices, jails, Clerk of Courts, state attorney offices, Department of Highway Safety or other criminal justice agencies.

30%

The incumbent compiles, reviews and provides all available information such as the offenses, circumstances, sentencing information, criminal history, traffic history, institutional program participation, disciplinary reports, detainers, subject statements, co-defendant information, Judicial and State Attorney's comments, personal data on applicants that apply for a waiver of the rules and prepares comprehensive reports for the Commission and Clemency Aides on each case being considered for a waiver of the rules.

10%

The incumbent prepares and submits voting sheets and voting agendas with completed waiver reports for the Commission. Prepares and submits cover sheets and waiver receipts for Clemency Aides with waiver reports. Checks and updates information in the MAC Database and ensures correct status information on applicants. Answers questions and correspondence related to Waiver of the Rules from Clemency Aides, Commissioners, state attorneys, defense attorneys, judges, applicants and applicant's family members via telephone, mail, and e-mail. Summarizes Commission recommendations and provides advisory recommendations with the waiver reports to the Clemency Aides. Responds to request for procedural explanations from Commissioners and Clemency Aides and performs other duties as assigned by the Director of Clemency Administration. Attends quarterly waiver hearings and provides assistance to the Clemency Aides as needed.

05%

The incumbent assists staff with phone coverage as the designated examiner of the day. At the direction of the Clemency Administrator, the incumbent researches data request from the Commission or Board of Executive Clemency. The incumbent provides monthly statistics (PBB) on various task performed and assignments conducted and/or completed and submits monthly error/omission reports.

05%

The incumbent conducts eligibility investigations and quality assurance investigative reviews of eligible cases for Restoration of Civil Rights (RCR) Without Hearing. This includes verifying the status of pecuniary penalties and restitution, and determining whether the individual is eligible for clemency consideration under the Rules of Executive Clemency. Conducts supplemental investigations for RCR Without Hearing cases as requested by the Board of Executive Clemency.

17. Knowledge, skills and abilities, including utilization of equipment, required for the position:

- Knowledge of the principles and practices in the Criminal Justice System, legal terminology, codes, statutes and methods and techniques of reviewing, researching and summarizing criminal and social data.
- Knowledge of the principals of executive clemency, parole, probation, corrections or law enforcement work.
- Knowledge of the principals of effective written and verbal communication.
- Ability to work independently.
- Ability to interact with applicants.
- Ability to work under stressful conditions.
- Ability to initiate and conduct interviews.
- Ability to conduct investigations.
- Ability to communicate effectively, verbally and in writing, with public officials in all areas of Local, State and Federal Governments and properly handle matters of highly confidential nature.
- Ability to operate a computer and basic programs.
- Understanding and knowledge of Criminal Justice Databases.

18. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
Must be FCIC/NCIC certified

19. Other job-related requirements for this position:

20. Working hours: (A) Daily from 8:00AM to 5:00pm (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.) N?A

21. **Agency Use Only –**

- Check those that apply:** Uniform Allowance CJP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check
Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):	Date:
Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/> Supervisor's Signature:	Title: _____ Date: _____
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title: _____ Date: _____
Approval of Agency Personnel Officer:	Title: _____ Date: _____

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE <input checked="" type="checkbox"/> SELECTED EXEMPT SERVICE <input type="checkbox"/> SENIOR MANAGEMENT SERVICE <input type="checkbox"/> OTHER <input type="checkbox"/> _____			
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/> _____	
		<i>Organization Level:</i> Current: _____ Proposed: _____	
NAME OF AGENCY: Florida Parole Commission		DIVISION/COMPARABLE: Clemency Administration	
BUREAU/COMPARABLE:		Position Number: 78002034	FTE: 1.0
SECTION/SUBSECTION:		Current Broadband Level Code: 21-1092-03	Current Class Title: Parole Examiner Current Class Code: 8127
SECTION/SUBSECTION:		Proposed Broadband Level Code:	Proposed Class Title:
SECTION/SUBSECTION:		Proposed Class Code:	Proposed Class Code:

HEADQUARTERS/COUNTY CODE: 0037	Type of Transaction: Update Job Description		
INCUMBENT:	APPROVAL AUTHORITY USE ONLY		
POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input checked="" type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input checked="" type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> _____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Broadband Level Code:	Class Code:	Approved By:
	Effective Date:		
	APPROVED BROADBAND OCCUPATION:		
	APPROVED CLASS TITLE:		
12. This position reports directly to: Position Number <u>7800037</u> Broadband Level Code <u>10-1021-1</u> Broadband Occupation <u>Executive</u> Class Code <u>8160</u> Class Title <u>Director of Clemency Administration</u>			
13. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:			
14. What statutes establish or define the work performed?			
15. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
16. Current budget for which this position is accountable (if applicable):			
_____ Salaries & Benefits	_____ O.P.S.	_____ Expenses	
_____ F.C.O.	_____ Data Processing	_____ TOTAL ALLOTMENT	
If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.			
17. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.			

**% of
Time**

Duties and Responsibilities

Under limited direction, assists the Director in reviewing and certifying comprehensive confidential clemency investigations, and correspondence received from the field staff for submission to the Board of Executive Clemency. Coordinates and manages special initiatives by the Governor or Board of Executive Clemency.

70%

Analyzes, organizes, and ensures accuracy of existing case information developed by field staff for quality assurance purposes, identifies and requests additional needed information from other states, field offices, the courts, law enforcement and the Department of Corrections, and compiles legal data, record checks using MAC, CDC, eAgent, CCIS or other resources such as IRIS, P.A.C.E.R., Clerk of Courts, FDLE, Federal websites, D.A.V.I.D., telephone calls or facsimiles for submission to the Board of Executive Clemency.

10%

Assists the Clemency Administration Director in the review and processing of general clemency case workload and special initiatives of the Board of Executive Clemency.

10%

Responds to requests for procedural explanations from Commissioners and Clemency Aides and performs other duties as assigned by the Director and Capital Punishment Research Specialist. Provides backup to the Capital Punishment Research Specialist for case submissions, as well as the Parole Examiner responsible for the Waiver process, and the Parole Examiner(s) responsible for the Restoration of Civil Rights process.

5%

Conducts Waiver of the Rules Investigations and prepares detailed confidential Waiver Reports for submission to the Clemency Board relating to Waivers for Full Pardons, Firearm Authority and Commutation of Sentence. Reviews the file to ensure that it contains the appropriate court documents for the offense(s) for which the applicant is seeking relief; determines if there are any pending restitution issues or pending criminal charges verify that the application for the Waiver of the Rules is complete and that the type of waiver being requested is indicated in the MAC Database (Management of Application for Clemency).

4%

Responds to questions and correspondence from the Clemency Aides, State Attorneys, Judges, defense attorneys, victims, victim advocate groups, applicants and applicant's families.

1%

Conducts Restoration of Civil Rights Investigations without Hearing, which includes verifying restitution, and determining whether the individual is eligible for clemency consideration under the Rules of Executive Clemency; reviews and monitors the monthly electronic lists from the Department of Corrections Office for those inmates released by expiration of sentence and of felony offenders who have terminated supervision to determine eligibility for Restoration of Civil Rights or Alien Status Under Florida Law. Analyzes, organizes and ensures accuracy of existing case information. Identifies and requests additional information required from other agencies and other states.

18. Knowledge, skills and abilities, including utilization of equipment, required for the position:

Knowledge of the principles and practices in the Criminal Justice System, legal terminology, and methods and techniques of reviewing, researching and summarizing criminal and social data.

Knowledge of the principles of executive clemency, parole, probation, corrections or law enforcement work.

Knowledge of the principles of effective written and verbal communication.

Ability to work independently.

Ability to initiate and conduct interviews and investigations; to communicate concise and accurate information.

Ability to understand and apply laws, rules, regulations, policies and procedures.

Ability to interact with victims.

Ability to maintain effective working relationships, to plan, organize and coordinate work assignments.

Ability to communicate effectively – verbally and writing, with public officials in all areas of Local, State and Federal Governments and properly handle matters of highly confidential nature.

Ability to research court records, transcripts and documents.

Ability to prepare correspondence and reports that are professional in appearance and content.

19. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
NCIC/FCIC Certification

20. Other job-related requirements for this position:

21. Working hours: (A) Daily from 8:00AM to 5:00PM (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

22. **Agency Use Only –**

Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
Security Check: No security screen required Background investigation required Background & fingerprint required
Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
Sensitive Agency Security Check

Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):

Date:

Discussed with Employee: Yes No

Title:

Date:

Supervisor's Signature:

Approval of Reviewing Authority: (Div. Director, Agency Head or other)

Title:

Date:

Approval of Agency Personnel Officer:

Title:

Date:

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE <input checked="" type="checkbox"/> SELECTED EXEMPT SERVICE <input type="checkbox"/> SENIOR MANAGEMENT SERVICE <input type="checkbox"/> OTHER <input type="checkbox"/>			
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/>	
		NAME OF AGENCY: Florida Parole Commission	
DIVISION/COMPARABLE: Clemency Administration		Organization Level: Current: Proposed:	
BUREAU/COMPARABLE: Clemency Administration		Position Number: 78002080	FTE: 1.0
SECTION/SUBSECTION:		Current Broadband Level Code: 21-1092-03	Current Class Title: Parole Examiner Current Class Code: 8127
HEADQUARTERS/COUNTY CODE: 0037		Proposed Broadband Level Code:	Proposed Class Title: Proposed Class Code:
Type of Transaction: Update Job Description			

INCUMBENT:	APPROVAL AUTHORITY USE ONLY		
POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input checked="" type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input checked="" type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> _____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Broadband Level Code:</i>	<i>Class Code:</i>	<i>Approved By:</i>
	<i>Effective Date:</i>		
	<i>APPROVED BROADBAND OCCUPATION:</i>		
<i>APPROVED CLASS TITLE:</i>			
13. This position reports directly to: Position Number <u>7800037</u> Broadband Level Code <u>10-1021-1</u> Broadband Occupation <u>Executive</u> Class Code <u>8160</u> Class Title <u>Director of Clemency Administration</u>			
14. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:			
15. What statutes establish or define the work performed?			
16. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
17. Current budget for which this position is accountable (if applicable):			
_____	_____	_____	
Salaries & Benefits	O.P.S.	Expenses	
_____	_____	_____	
F.C.O.	Data Processing	TOTAL ALLOTMENT	
If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.			
18. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.			
% of Time	Duties and Responsibilities		

Under limited direction, assists the Director in reviewing and certifying accuracy of Confidential Case Analyses, and other investigations and correspondence received from the field staff for submission to the Board of Executive Clemency. Compiles legal data, record checks using MACNet, CDC, eAgent, CCIS or other resources such as IRIS, P.A.C.E.R., Clerk of Courts, FDLE, Federal websites, D.A.V.I.D., telephone calls or facsimiles and personal data on applicants living in other states, into a Confidential Case Analysis for submission to the Board of Executive Clemency for applicants seeking various types of clemency (e.g., firearm authority, full pardon, commutation of sentence, and restoration of civil rights). Also conducts Restoration of Civil Rights Investigations Without Hearing, which includes verifying the status of pecuniary penalties and restitution, and determining whether the individual is eligible for clemency consideration under the Rules of Executive Clemency. Coordinates and manages special initiatives by the Governor or Board of Executive Clemency. Researches data for the Commission or the Board of Executive Clemency.

30 %

Analyzes, organizes, and ensures accuracy of existing case information developed by field staff for quality assurance, and identifies and requests additional information from other states, field offices, the courts, law enforcement and the Department of Corrections for submission to the Board of Executive Clemency.

30%

Assists the Clemency Administration Director in the review and processing of the general clemency case workload and special initiatives of the Board of Executive Clemency.

25%

Process Commission advisory recommendations, compiles information, and prepares comprehensive reports for the Board of Executive Clemency on each case being considered for clemency at quarterly hearings.

10%

Responds to requests for procedural explanations from Commissioners and Clemency Aides and performs other duties as assigned by the Director and Capital Punishment Research Specialist. Provides backup to the Capital Punishment Research Specialist for capital case interviews and case submissions as well as the Parole Examiner responsible for the Waiver process and the Parole Examiner(s) responsible for the Restoration of Civil Rights process.

5%

Responds to questions and correspondence from the Clemency Aides, state attorneys, judges, defense attorneys, victims, victim advocate groups, applicants and applicants' families.

19. Knowledge, skills and abilities, including utilization of equipment, required for the position:

Knowledge of the principles and practices in the Criminal Justice System, legal terminology, and methods and techniques of reviewing, researching and summarizing criminal and social data.

Knowledge of the principles of executive clemency, parole, probation, corrections or law enforcement work.

Knowledge of the principles of effective written and verbal communication.

Ability to work independently.

Ability to initiate and conduct interviews and investigations; to communicate concise and accurate information.

Ability to understand and apply laws, rules, regulations, policies and procedures.

Ability to interact with victims.

Ability to maintain effective working relationships, to plan, organize and coordinate work assignments.

Ability to communicate effectively – verbally and writing, with public officials in all areas of Local, State and Federal Governments and properly handle matters of highly confidential nature.

Ability to research court records, transcripts and documents.

Ability to prepare correspondence and reports that are professional in appearance and content.

20. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):

Maintain CJIS certification for NCIC/FCIC.

21. Other job-related requirements for this position:

22. Working hours: (A) Daily from 8:00AM to 5:00PM (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

23. Agency Use Only –

Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check
Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):	Date:
Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/> Supervisor's Signature:	Title: _____ Date: _____
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title: _____ Date: _____
Approval of Agency Personnel Officer:	Title: _____ Date: _____

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE **SELECTED EXEMPT SERVICE** **SENIOR MANAGEMENT SERVICE** **OTHER**

POSITION LOCATION INFORMATION	Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/>			
NAME OF AGENCY: Florida Parole Commission	<i>Organization Level:</i> Current: _____ Proposed: _____			
DIVISION/COMPARABLE: Clemency Administration	Position Number: 78002080	FTE: 1.0	Security Role Code: E	
BUREAU/COMPARABLE: Clemency Administration	<i>Current Broadband Level Code:</i> 21-1092-03	<i>Current Class Title:</i> Parole Examiner	<i>Current Class Code:</i> 8127	
SECTION/SUBSECTION:	<i>Proposed Broadband Level Code:</i>	<i>Proposed Class Title:</i>	<i>Proposed Class Code:</i>	
HEADQUARTERS/COUNTY CODE: 0037	Type of Transaction: Update Job Description			
INCUMBENT:	APPROVAL AUTHORITY USE ONLY			
POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input checked="" type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input checked="" type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> _____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Broadband Level Code:</i>	<i>Class Code:</i>	<i>Approved By:</i>	
				<i>Effective Date:</i>
		<i>APPROVED BROADBAND OCCUPATION:</i>		
	<i>APPROVED CLASS TITLE:</i>			

14. This position reports directly to: Position Number 7800037 Broadband Level Code 10-1021-1
 Broadband Occupation Executive Class Code 8160 Class Title Director of Clemency Administration
15. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:

16. What statutes establish or define the work performed?

17. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes No

18. Current budget for which this position is accountable (if applicable):

Salaries & Benefits	O.P.S.	Expenses
F.C.O.	Data Processing	TOTAL ALLOTMENT

If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.

19. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

% of Time

Duties and Responsibilities

Under limited direction, assists the Director in reviewing and certifying accuracy of Confidential Case Analyses, and other investigations and correspondence received from the field staff for submission to the Board of Executive Clemency. Compiles legal data, record checks using MACNet, CDC, eAgent, CCIS or other resources such as IRIS, P.A.C.E.R., Clerk of Courts, FDLE, Federal websites, D.A.V.I.D., telephone calls or facsimiles and personal data on applicants living in other states, into a Confidential Case Analysis for submission to the Board of Executive Clemency for applicants seeking various types of clemency (e.g., firearm authority, full pardon, commutation of sentence, and restoration of civil rights). Also conducts Restoration of Civil Rights Investigations Without Hearing, which includes verifying the status of pecuniary penalties and restitution, and determining whether the individual is eligible for clemency consideration under the Rules of Executive Clemency. Coordinates and manages special initiatives by the Governor or Board of Executive Clemency. Researches data for the Commission or the Board of Executive Clemency.

30 %

Analyzes, organizes, and ensures accuracy of existing case information developed by field staff for quality assurance, and identifies and requests additional information from other states, field offices, the courts, law enforcement and the Department of Corrections for submission to the Board of Executive Clemency.

30%

Assists the Clemency Administration Director in the review and processing of the general clemency case workload and special initiatives of the Board of Executive Clemency.

25%

Process Commission advisory recommendations, compiles information, and prepares comprehensive reports for the Board of Executive Clemency on each case being considered for clemency at quarterly hearings.

Responds to requests for procedural explanations from Commissioners and Clemency Aides and performs other duties as assigned by the Director and Capital Punishment Research Specialist. Provides backup to the

- 10% Capital Punishment Research Specialist for capital case interviews and case submissions as well as the Parole Examiner responsible for the Waiver process and the Parole Examiner(s) responsible for the Restoration of Civil Rights process.
- 5% Responds to questions and correspondence from the Clemency Aides, state attorneys, judges, defense attorneys, victims, victim advocate groups, applicants and applicants' families.

20. Knowledge, skills and abilities, including utilization of equipment, required for the position:
 Knowledge of the principles and practices in the Criminal Justice System, legal terminology, and methods and techniques of reviewing, researching and summarizing criminal and social data.
 Knowledge of the principles of executive clemency, parole, probation, corrections or law enforcement work.
 Knowledge of the principles of effective written and verbal communication.
 Ability to work independently.
 Ability to initiate and conduct interviews and investigations; to communicate concise and accurate information.
 Ability to understand and apply laws, rules, regulations, policies and procedures.
 Ability to interact with victims.
 Ability to maintain effective working relationships, to plan, organize and coordinate work assignments.
 Ability to communicate effectively – verbally and writing, with public officials in all areas of Local, State and Federal Governments and properly handle matters of highly confidential nature.
 Ability to research court records, transcripts and documents.
 Ability to prepare correspondence and reports that are professional in appearance and content.

21. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
 Maintain CJIS certification for NCIC/FCIC.

22. Other job-related requirements for this position:

23. Working hours: (A) Daily from 8:00AM to 5:00PM (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

24. **Agency Use Only –**
Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check
Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):	Date:
Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Supervisor's Signature:	Title: _____ Date: _____
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title: _____ Date: _____
Approval of Agency Personnel Officer:	Title: _____ Date: _____

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE <input checked="" type="checkbox"/> SELECTED EXEMPT SERVICE <input type="checkbox"/> SENIOR MANAGEMENT SERVICE <input type="checkbox"/> OTHER <input type="checkbox"/>			
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/> ____	
		NAME OF AGENCY: Florida Parole Commission	
DIVISION/COMPARABLE: Clemency Administration		Organization Level: Current: _____ Proposed: _____	
BUREAU/COMPARABLE: Clemency Administration		Position Number: 7800021	FTE: 1.0
		Security Role Code: E	
		Current Broadband Level Code: 43-6011-3	Current Class Title: Executive Secretary
			Current Class Code: 0114
SECTION/SUBSECTION:		Proposed Broadband Level Code:	Proposed Class Title:
			Proposed Class Code:
HEADQUARTERS/COUNTY CODE: 0037		Type of Transaction: UPDATE JOB DESCRIPTION	
INCUMBENT:		APPROVAL AUTHORITY USE ONLY	
POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input checked="" type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input checked="" type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> ____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Broadband Level Code:	Class Code:
		Approved By:	Effective Date:
		APPROVED BROADBAND OCCUPATION:	
		APPROVED CLASS TITLE:	
15. This position reports directly to: Position Number <u>7800037</u> Broadband Level Code <u>10-1021-1</u> Broadband Occupation <u>EXECUTIVE</u> Class Code <u>8160</u> Class Title <u>DIRECTOR OF CLEMENCY ADMINISTRATION</u>			
16. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:			
17. What statutes establish or define the work performed?			
18. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes <input type="checkbox"/> No X			
19. Current budget for which this position is accountable (if applicable):			
_____ Salaries & Benefits		_____ O.P.S.	
		_____ Expenses	

If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.

20. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

**% of
Time**

Duties and Responsibilities

This position performs independent, varied and extremely confidential secretarial and clerical duties related to the work of Clemency Administration. The Executive Secretary also performs duties to assist the Director in management controls of workload, investigations, tracking, confidential report preparation, data input relating to investigations, and work production recaps. Heavy emphasis is placed on relieving the Clemency Director of as much clerical detail as possible. This position acts as a personal assistant to the Clemency Director.

15%	Receives and processes Level 3 general clemency cases. Aids in preparing and copying Confidential Case Analyses in file carts for Commission voting, along with an agenda for each Commissioner. Monitors Clemency Cases being voted. Following votes, adding the Commission's recommendation on each report and is responsible for copying distributing reports to the Office of Executive Clemency and Clemency Aides.
15%	Upon receipt of requests from the Coordinator of Office of Executive Clemency, pertaining to investigations and reports, prepares formal request to field, makes copies of application, legal documents and any other information which will assist the field staff in their preparation of the required report. Also, insures entries are made in MACNet clemency database and are accurately maintained in order for cases to be monitored for timely reply of action.
10%	Monitors in-coming mail, screening items which can be handled personally, composes routine correspondence under the Clemency Director's signature then submitting the remainder to the Clemency Director and Parole Examiners, along with background material which may be available either through closed Clemency files, Department Corrections' files or criminal justice databases.
30%	Performs telephonic and personal contact with parole examiners, Department of Corrections, Office of Executive Clemency, Governor's office, Clemency Aides, Attorneys, Judges, State Attorneys, applicants and members of an applicant's family. Responds to telephone calls related to interpretation of policies, eligibility of applicants to received degree of clemency requested, status of investigation and explains procedures.
5%	Researches inmate case files and closed clemency files for specific information requested by the Governor, Cabinet members, and their Aides. Assembles, compiles and transmits information and documentation for use by the Clemency Director.
10%	Processes Level 3 ineligible cases, routes appropriate information to the Office of Executive Clemency for applicant to be notified.
5%	Assists in the maintenance of alphabetical files and records of materials relevant to clemency cases
2%	Attends Clemency Board meetings, takes notes, and assists in securing any requested supplemental information assuring availability to the Chairman and Director.
3%	Assists in expediting and monitoring case load in the Clemency Office. Cross-trains and distributes work to other clerical staff to assure compliance with time frames.
5%	Coordinates storage of closed files with Record Management, and retrieval of storage files when necessary. Maintain the clemency filing system.

21. Knowledge, skills and abilities, including utilization of equipment, required for the position:

Knowledge of the techniques used in verifying and documenting information.
 Ability to prepare and maintain confidential and accurate information.
 Ability to organize files, records and/or other materials.
 Ability to review data for accuracy and completeness.
 Ability to sort data alphabetically, numerically, and categorically.
 Ability to follow written instructions.
 Knowledge of correct grammar usage and general office procedures.
 Knowledge of courts, police, corrections, and medical terminology.
 Ability to use a computer and applicable programs to include but not limited to word processing programs and various databases.

22. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):

23. Other job-related requirements for this position:

24. Working hours: (A) Daily from 8:00AM to 5:00PM (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

25. Agency Use Only –

Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
 Security Check: No security screen required Background investigation required Background & fingerprint required
 Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
 Sensitive Agency Security Check

Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):

Date:

Discussed with Employee: Yes No
 Supervisor's Signature:

Title:

Date:

Approval of Reviewing Authority: (Div. Director, Agency Head or other)

Title:

Date:

Approval of Agency Personnel Officer:

Title:

Date:

STATE OF FLORIDA POSITION DESCRIPTION

CAREER SERVICE <input checked="" type="checkbox"/> SELECTED EXEMPT SERVICE <input type="checkbox"/> SENIOR MANAGEMENT SERVICE <input type="checkbox"/> OTHER <input type="checkbox"/> _____			
POSITION LOCATION INFORMATION		Position Exempt Under 110.205(____)(____), F.S. Managerial <input type="checkbox"/> Confidential <input type="checkbox"/> Supervisory <input type="checkbox"/> Other <input type="checkbox"/> ____	
NAME OF AGENCY: Florida Parole Commission		<i>Organization Level:</i> Current: _____ Proposed: _____	
DIVISION/COMPARABLE: Clemency Administration		Position Number: 78002057	FTE: 1.0
BUREAU/COMPARABLE: Clemency Administration		<i>Current Broadband Level Code:</i> 43-6011-3	Security Role Code: E
SECTION/SUBSECTION:		<i>Current Class Title:</i> Staff Assistant	<i>Current Class Code:</i> 0120
HEADQUARTERS/COUNTY CODE: 0037		Proposed Broadband Level Code:	<i>Proposed Class Title:</i> Proposed Class Code:
INCUMBENT:		Type of Transaction: UPDATE JOB DESCRIPTION	
APPROVAL AUTHORITY USE ONLY			

POSITION ATTRIBUTES: EEO: 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input checked="" type="checkbox"/> 08 <input type="checkbox"/> CBU: 01 <input checked="" type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 18 <input type="checkbox"/> 80 <input type="checkbox"/> 81 <input type="checkbox"/> 86 <input type="checkbox"/> 87 <input type="checkbox"/> 89 <input type="checkbox"/> 99 <input type="checkbox"/> Other <input type="checkbox"/> _____ Special Risk: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Overtime: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> CAD: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Broadband Level Code:	Class Code:	Approved By:	Effective Date:
	APPROVED BROADBAND OCCUPATION:			
	APPROVED CLASS TITLE:			

16. This position reports directly to: Position Number 7800037 Broadband Level Code 10-1021-1
 Broadband Occupation Executive Class Code 8160 Class Title Director Clemency Administration

17. Broadband level code, class title, class code, position number, and headquarters location of each position which reports directly to this position:

18. What statutes establish or define the work performed?

19. This position has financial disclosure responsibility in accordance with Section 112.3145, F. S.: Yes No

20. Current budget for which this position is accountable (if applicable):

_____	_____	_____
Salaries & Benefits	O.P.S.	Expenses
_____	_____	_____
F.C.O.	Data Processing	TOTAL ALLOTMENT

If the current budget includes other areas of accountability include them in the TOTAL ALLOTMENT and provide a brief explanation.

21. Duties and Responsibilities - Describe in detail the specific duties and responsibilities assigned to this position and the percentage of
 22. time for each. Indicate the role of this position in accomplishing the unit and agency mission. If applicable, include examples of
 23. independent, final policy decisions made and show their effect on the agency, the public, or other state agencies.

% of Time	Duties and Responsibilities
-----------	-----------------------------

The staff assistant performs varied and extremely confidential supervisory support as well as secretarial and clerical duties relating to the work of Clemency Administration. The assistant also performs duties to assist the Director and Executive Secretary in management controls of workload, investigations, tracking, confidential report preparation, data input relating to investigations, and work production recaps. Emphasis is placed on assisting the Parole Examiner in tracking and processing the Waiver Reports.

- 5% Assists the Executive Secretary in receiving, opening, and routing incoming and outgoing mail.
- 20% Answers the telephone and serves as office receptionist.
- 10% Responds to applicants' inquiries via telephone, letter, and electronic mail.
- 15% Assists in informational research via various criminal justice computer programs including, but not limited to, MACNet, NCIC/FCIC, CCIS, CDC, SSDI, DAVID, IRIS, etc.
- 5% Receives and processes Waiver cases. Prepares correspondence to be sent to attorneys and judges. Aids in preparing, copying, and distributing Waiver Reports.
- 10% Receives, processes, copies, and distributes Restoration of Civil Rights and Clemency cases.
- 5% Assists in preparing and editing of Level 2 Restoration of Civil Rights reports and victim memorandums.
- 5% Assists in the maintenance of alphabetical files and records of materials relevant to clemency cases.
- 10% Sets up and retrieves clemency files from clemency file room and Records Management storage while maintaining the clemency file system. Prepares inactive case files for transfer to Records Management storage.
- Processes Level 1 and Level 2 eligible/ineligible cases, routes appropriate information to the Office of Executive Clemency, files Executive Orders if granted or resubmits cases to appropriate office if objected to by the Board.

22. Knowledge, skills and abilities, including utilization of equipment, required for the position:

Knowledge of the techniques used in verifying and documenting information.
Ability to prepare and maintain confidential and accurate information.
Ability to organize files, records and/or other materials.
Ability to review data for accuracy and completeness.
Ability to sort data alphabetically, numerically, and categorically.
Ability to follow written instructions.
Knowledge of correct grammar usage and general office procedures.
Knowledge of courts, police, corrections, and medical terminology.
Ability to use a computer and applicable programs to include but not limited to word processing programs and various databases.

23. Licensure/registration/certification requirements (If applicable, list the appropriate Florida Statute or federal regulation cite):
Maintain CJIS certification for NCIC/FCIC.

24. Other job-related requirements for this position:

25. Working hours: (A) Daily from 8:30 a.m. to 5:30 p.m. (B) Total hours in workweek 40 (C) Explain any variation in work (split shift, rotation, etc.)

26. **Agency Use Only** –

Check those that apply: Uniform Allowance CJIP Bond Indicator Drug Screening Re-screening
Security Check: No security screen required Background investigation required Background & fingerprint required
Fingerprint investigation required Access to abuse records Caretaker Financial Law enforcement Management
Sensitive Agency Security Check

Other:

The following have acknowledged that the statements above, to the best of their knowledge, accurately describe the duties and responsibilities of the position.

Incumbent Signature (optional):		Date:
Discussed with Employee: Yes <input type="checkbox"/> No <input type="checkbox"/> Supervisor's Signature:	Title:	Date:
Approval of Reviewing Authority: (Div. Director, Agency Head or other)	Title:	Date:
Approval of Agency Personnel Officer:	Title:	Date:

ATTACHMENT F

**LETTER TO STATE REPRESENTATIVE GREG EVERS, CHAIR
JOINT LEGISLATIVE AUDITING COMMITTEE
SENT JUNE 16, 2010**

**The Commission's 6 Month Follow-up Response
To
Auditor General Report 2010-010**



FLORIDA PAROLE COMMISSION

FREDERICK B. DUNPHY, CHAIRMAN
TENA PATE, VICE CHAIRMAN
MONICA DAVID, SECRETARY

CHARLIE CRIST, GOVERNOR
BILL MCCOLLUM, ATTORNEY GENERAL
ALEX SINK, CHIEF FINANCIAL OFFICER
CHARLES H. BRONSON, COMMISSIONER OF AGRICULTURE

June 16, 2010

The Honorable Greg Evers, Chairman
Joint Legislative Auditing Committee
111 West Madison Street
Tallahassee, Florida 33299-1400

Re: Auditor General Report 2010-010, Six-Month Follow-Up Response

Dear Chairman Evers:

The following response is the Parole Commission's **Six-Month Post Audit Follow-Up Report** to Auditor General Report 2010-010, a performance review of the Commission's clemency function relating to the processing of Restoration of Civil Rights' (RCR) cases. The audit review period began July 1, 2007 and ended February 28, 2009. The final report was published September of 2009.

Having sought the Clemency Board's direction on the audit report, the Board's directive to me as agency head was to make procedural changes to ensure foremost the accuracy of RCR case file information. To accomplish this, I asked the Clemency Board for a minimum 6 to 8 month time period to adequately assess and evaluate recommendations and to test modifications and suggested enhancements for increased productivity and accuracy. Further, September 29, I appointed an internal Ad Hoc Committee to review existing practices, target events contributing to human error, and implement new procedures to ensure the overall accuracy of RCR case information. The Committee acknowledged at the onset of their review that new proposed safeguards, while ensuring complete and accurate information, could result in the process being slowed and fewer cases being processed.

The following are the Commission's post audit corrective measures and their status as of this date:

1 – November 2009, I appointed a Quality Assurance Unit (QAU), composed of key operational staff within clemency administration, and reporting directly to me or my designee, and independent of the Commission's clemency section heads. This was done to allow selected individuals who perform these clemency functions daily to provide to me their assessment of existing clemency procedures.

2 - On December 1, 2009, a new Eligibility Review Form was created and implemented statewide for use in reviewing all “Expiration of Sentence/Termination of Supervision” (EOS/TOS) RCR cases. The new form was posted to the FPC Intranet website and an enhanced risk-based RCR supervisory review for approving EOS/TOS cases was implemented for both supervisors in the field offices as well as the new QA unit within the Office of Clemency Administration/central office.

3 – Database/IT Issues: On March 6, 2010, the MACNet Application upgrade from Visual Studio 2003 to Visual Studio 2008 was completed. This was a necessary first step by the Department of Corrections’ Office of Information Technology (DC OIT) to sustain the current clemency database and to ensure that any upgrades and future enhancements being requested by the Commission will be supported. These enhancements will include: improving functionality by users; documenting resources utilized in RCR reviews; and documenting supervisory reviews and quality assurance reviews within the MACNet database. FPC staff is currently working with DC OIT to develop and implement these future MACNet upgrades.

4 – Updated Staff Training: On March 26, 2010, a new instructional training manual was completed and issued statewide for conducting Restoration of Civil Rights’ Level 1 (Automatic Approval) eligibility reviews of Expiration of Sentence (EOS) and Termination of Supervision (TOS) cases. This manual was produced after several months of hard team work from collaboration between central office and field office examiners and supervisors who regularly conduct these types of reviews and approve these types of cases. The manual was posted on the FPC network and on the FPC Intranet website and is now a valuable tool and resource guide available to all those involved in the RCR review process. It includes a review and explanation of the RCR rules, a review of all necessary data systems to be utilized, how the investigative process is completed, available internet resources, and several investigation examples.

5 – Performance Measures: Additional Performance Measures, as recommended in the audit and included in the Commission’s FY 2009-10 LRPP (Long Range Program Plan), were submitted for approval to the Governor’s Office of Policy and Budgeting (OPB). The new performance measures approved for the Commission are:

- a. Percent of Level I/automatic RCR *application* cases placed on executive orders to the Clemency Board containing no factual errors.
- b. Percent of Level I/automatic RCR list (*EOS/TOS*) cases placed on executive orders to the Clemency Board containing no factual errors.
- c. Percent of Level II RCR cases placed on executive orders to the Clemency Board containing no factual errors.
- d. Percent of Level III RCR cases placed on executive orders to the Clemency Board containing no factual errors.

As stated in previous documents, the Commission’s critical mission is **public safety** and administers programs with statutorily mandated timeframes, which must be met. When asked to prioritize its spending by the Legislature, the agency’s funding resources were directed to programs where critical timeframes are mandated before funding clemency functions, which have no mandated timeframes. Thus, funding to the clemency function has suffered during the current

economic downturn. However, since the Commission serves as the investigatory and administrative arm of the Clemency Board it must, through the review, eligibility determination, and processing of all clemency requests, strictly follow all rules, policy and Board directives to the best of its ability.

In closing, during the review period, other policy directives were made either administratively or by Executive Order that enhanced the RCR process for the stakeholders. For RCR cases requiring a full investigation, applicants now receive a copy of their investigative report prior to a Board hearing and in 2008, the Commission began mailing a voter registration form together with the certificate granting an individual their civil rights. Also, the Commission added a search capability to its public website, www.FLrestoremyrights.com, allowing individuals to check to see if their rights have been restored and, if granted, allows for the immediate printing of the certificate.

The Commission has attempted to comply with the recommendations of the 2010-010 audit. If you have any questions concerning this response, please contact me at 850-488-0476 at your convenience.

Sincerely,

Frederick B. Dunphy
Chairman

Cc:

Members, Joint Legislative Auditing Committee
Kathryn DuBose, Staff Director
David Martin, Auditor General
The Honorable Charlie Crist, Governor
The Honorable Bill McCollum, Attorney General
The Honorable Alex Sink, Chief Financial Officer
The Honorable Charlie Bronson, Commissioner of Agriculture
Chief Cabinet Aides
Clemency Aides

ATTACHMENT G:

**COMMISSION RESPONSE
To
AUDIT REPORT No. 2010-010
PUBLISHED
SEPTEMBER 2, 2009**



FLORIDA PAROLE COMMISSION

FREDERICK B. DUNPHY, CHAIRMAN
TENA PATE, VICE CHAIRMAN
MONICA DAVID, SECRETARY

CHARLIE CRIST, GOVERNOR
BILL McCOLLUM, ATTORNEY GENERAL
ALEX SINK, CHIEF FINANCIAL OFFICER
CHARLES H. BRONSON, COMMISSIONER OF AGRICULTURE

September 2, 2009

Mr. David Martin
Auditor General
111 West Madison Street
Tallahassee, Florida 32301-1450

**Re: Florida Parole Commission: - Operational Audit Preliminary Findings
Restoration of Civil Rights' Clemency Process
Audit Period: beginning July 1, 2007 and ending February 28, 2009**

Dear Mr. Martin:

The Florida Parole Commission is in receipt of your July 9, 2009, report of preliminary and tentative findings and recommendations resulting from your audit of the Clemency Board's (Board) Restoration of Civil Rights' (RCR) process for the review period beginning July 1, 2007 and ending February 28, 2009.

The Commission serves as the investigatory and administrative arm of the Clemency Board. The review, eligibility determination, and processing of all clemency requests are strictly adhered to pursuant to Board direction and rule. The RCR review process currently followed by the Parole Commission was adopted by the Board on April 5, 2007. Further, the Parole Commission does not make decisions or recommendations regarding policy on any part of the clemency process.

Since the adoption of these rules, the Parole Commission's budget was reduced by 20% for FY 2008-09, with staff reductions being made primarily in the clemency area. The Commission's critical mission is public safety and administers programs with statutorily mandated timeframes, which must be met. When asked to prioritize its spending by the Legislature, the agency's funding resources were directed to programs where critical timeframes are mandated before funding clemency functions, which have no mandated timeframes. Thus, funding to the clemency function has suffered during the current economic downturn.

During the review period, other policy directives were made either administratively or by Executive Order that enhanced the RCR process for the stakeholders. Beginning October 31, 2007, clemency applicants receive a copy of their investigative report prior to a Board hearing and by Executive Order dated August 2008, the Commission now mails a voter registration form together with the certificate granting an individual their civil rights. Also, as a result of this order, the Commission added a search capability to its public website, allowing an individual or

their designee to check to see if their rights have been restored and, if granted, allows for the immediate printing of the certificate.

Although adopted in April of 2007, the actual implementation of the new RCR process occurred months later. This initial delay was due to: (1) the clemency database being reprogrammed to reflect the new rule changes; (2) 38,000 pending cases being re-reviewed for eligibility under the new rules; and (3) the Governor's RCR Initiative directive to locate ex-offenders potentially eligible for a Level 1 review under the new rules. This directive resulted in a six-month search and eligibility review effort, which produced hundreds of thousands of cases referred to as "historical" cases.

The Commission is responding to Finding No. 1 on behalf of Ms. Janet Keels, Executive Clemency Coordinator. The fifth and final finding and recommendation fell directly within my purview as Chairman of the Parole Commission, and I have taken the necessary corrective action to comply with your recommendation.

In closing, I have forwarded your audit of the Clemency Board's Restoration of Civil Rights' case review process to them for their review and consideration (Audit Findings 1 through 4). Through the years, the RCR process has been modified by various boards. However, the Parole Commission has remained consistent in its role of dutifully implementing and administering the clemency process. Again, the Parole Commission does not make decisions or recommendations regarding policy on *any part* of the clemency process.

I would like to thank your staff for their flexibility and spirit of cooperation as we explained the issues associated with administering the unique process of clemency.

Sincerely,


Frederick B. Dunphy
Chairman

Attachment

Cc: The Honorable Charlie Crist, Governor
The Honorable Bill McCollum, Attorney General
The Honorable Alex Sink, Chief Financial Officer
The Honorable Charlie Bronson, Commissioner of Agriculture
Chief Cabinet Aides
Clemency Aides

APPENDIX A

FLORIDA PAROLE COMMISSION RESPONSE TO TENTATIVE AND PRELIMINARY AUDIT FINDINGS CLEMENCY/RESTORATION OF CIVIL RIGHTS AUDIT FOR THE PERIOD BEGINNING JULY 1, 2007 AND ENDING FEBRUARY 28, 2009

Finding No. 1: Ex-Offender Initiated Requests for RCR

***Finding No. 1:** Ex-offenders convicted of crimes in other states, in Federal courts, and who had not been placed in the custody of the Department of Corrections, must submit requests to initiate the RCR process. Although there is a procedure in place for the receipt of applications from these ex-offenders, 28,428 of the 32,859 (86.5 percent) requests received since January 2006 had not been referred to the Commission's Office of Clemency Administration for review or investigation.*

***Recommendation:** We recommend that the Parole Commission, in conjunction with the Office of Executive Clemency, present for the Clemency Board's consideration, rules establishing processing priorities for RCR requests.*

Commission's Response:

The Parole Commission does not make decisions or recommendations regarding policy on *any part* of the clemency process. Policy decisions regarding the clemency process fall within the sole purview of the Clemency Board. However, the Parole Commission has remained consistent in its role of dutifully **implementing and administering the clemency process**. Historically, when a reviewing authority (OPPAGA, Auditor General) has made recommendations on the clemency process, the Commission has forwarded to the Clemency Board any findings and recommendations for their review and consideration. The system of processing RCR cases is subject to periodic changes as the Commission receives direction from the Executive Clemency Board regarding case processing priorities.

The lack of sufficient staffing and resources to support the increased caseload created by the newly adopted rules severely impacts the Commission's ability to process cases as quickly as it would like. For the past 6 years, the Commission has informed the Legislature of the funding needs of the clemency process in its annual legislative budget request. Each year these requests have gone unfunded, while the caseload has increased significantly. For the previous fiscal year, the Commission absorbed a 20% budget reduction, which resulted in the loss of 24 staff positions, which has made the Commission unable to keep current with its workload demands or its clemency caseload. As staffing and funding become available, these problems will be rectified, and the Commission will take adequate measures to address this finding.

However, even with its current diminished resources, the Commission can report the following: Since the completion of the special "RCR OPS Project" June 30, 2009, and as of July 21, 2009, the number of ex-offender RCR initiated requests received during the reporting periods January 1, 2006 through February 1, 2009, and not yet referred to Clemency Administration for further processing, has been reduced from 28,428 (86.5 percent) to 21,118 (64.2 percent). Further, as

of July 31, 2009, all 3,686 requests for the same reporting period were entered into the *Management of Application of Clemency* (MAC) database, in addition to all RCR requests received through June 30, 2009.

Finding No. 2: Eligibility Determination Procedures

Finding No. 2: *The Commission had not established for RCR eligibility determinations a risk-based supervisory review process or quality control procedures. A risk-based supervisory review process could target cases and eligibility criteria prone to error and assist in the more effective and judicious use of resources. Quality control procedures would also increase assurance that eligibility determinations were made in accordance with Clemency Board Rules.*

Recommendation: **(a)** *To provide assurance that only eligible ex-offenders are granted RCR, we recommend that the Commission establish a risk-based supervisory review process. Once established, the Commission should ensure that results of supervisory reviews are documented and analyzed. To provide additional assurances, the Commission should also consider implementing quality control procedures. (b) We also recommend that the Commission further investigate the 13 RCR cases referenced in Table 3 of this report and refer the results of such investigation to the Clemency Board for further direction.*

Commission's Response:

Part (a):

The Commission acknowledges the significance and importance of the Restoration of Civil Rights Process and that adequate quality control procedures should assure that the process is as error-free as possible. Having the responsibility of identifying and determining whether an individual is eligible to have his or her rights restored is a grave responsibility and one that should be carried out with the utmost professionalism and critical attention to detail. The Commission acknowledges that all errors committed during the RCR eligibility review are of concern and will strive for "zero" errors as the ultimate goal. To this end, the Commission's current supervisory review process provides certain quality control measures, which document a supervisor's analysis and oversight of an examiner's eligibility determination review of a case. However, improvement in the error rate for this process will always be a goal of the Commission.

Currently, the majority of the RCR workload is associated with ex-offender initiated RCR requests (Levels 1, 2, or 3). For these requests, RCR procedures require that the Examiner maintain a confidential file including any hardcopy documentation obtained through the investigative process which was used for determining eligibility. This confidential file is maintained by the Commission for five years and then archived and stored off-site at the State Records Center consistent with state records retention policy.

Supervisors review all of the ex-offender initiated RCR requests (Levels 1, 2, or 3) by viewing some of the State and Federal databases used by the Examiner during the eligibility determination. Once they complete the review, they provide written comments and/or corrections on the investigative report to the Examiner.

When an eligibility determination investigation is received in Central Office, quality assurance reviews for ex-offender initiated RCR requests (Levels 1, 2, or 3) are conducted by two full-time employees in the Office of Clemency Administration. Additional quality assurance reviews are conducted by Parole Commissioners on all Level 3 RCR cases being presented to the Clemency Board for hearing. Further, all eligible RCR cases are given a review by the Board's Clemency Aides before making recommendations to their principals and prior to a final decision being made by the Board. If additional information is needed or corrections are to be made to the RCR case, the Supervisor and Examiner are notified by e-mail.

The Commission also processes all RCR EOS/TOS cases received from the Department of Corrections by electronic file. Current clemency procedures do not require the maintenance of a hardcopy file or documentation for these cases since the process migrated to a paperless system, which resulted in cost savings to the State of Florida. Another efficiency gained as a result of streamlining the process now allows Examiners to enter eligibility determination information directly into the MAC database, with Supervisors able to access the database from any location for review and approval of cases. Even though the procedures for the processing of EOS/TOS cases were simplified, quality assurance controls were kept in place which not only provide for a supervisory check but actually require the supervisor to submit the case as "approved" into the database. Also, the Mac database now automatically generates letters to ex-offenders determined ineligible for RCR Level 1 and specifies the reason(s) for such determination.

Through the collection and documentation of Examiner error data and the analysis of quality assurance reviews, the Commission has established a risk-based supervisory review process obtained by expertise gained from years of processing hundreds of thousands of RCR cases. When conducting supervisory reviews, Supervisors are trained to look for the most frequent, common errors made by Examiners. Regularly, administrators, supervisors, and examiners receive feedback on specific eligibility determination issues through e-mails, memoranda, monthly regional staff meetings, and statewide operational conference calls. For training purposes, they are also provided with all final Levels 2 and 3 RCR cases presented to the Clemency Board.

Again, the Commission's ultimate goal is to process as many RCR cases with no errors as possible. To this end, the Commission is committed to working with the Clemency Board to review its current RCR quality assurance procedures and to take any corrective measures which will further reduce the error rate and continue to ensure the integrity and quality of the RCR eligibility determination process.

Part (b):

The Commission will confer with the members of the Clemency Board and their respective Clemency Aides and seek their direction for further investigation on the above-referenced cases.

Finding No. 3: Overrides of Eligibility Determinations

Finding No. 3: *While having the ability to override a parole examiner's determination appears to be a necessary role for supervisors, the Management Application of Clemency (MAC) database*

does not provide the parole examiner or management any notification of a supervisory change to an eligibility determination, nor does it flag the change in the database for later review.

Recommendation: *We recommend that the Commission enhance the MAC database to ensure that parole examiners and management are automatically notified of supervisor changes to ex-offender RCR eligibility determinations. We also recommend the Commission periodically analyze supervisor overrides to determine vulnerabilities in the RCR process that require Commission action.*

Commission's Response:

Only two Commission employees, the Director of Clemency Administration and the Executive Clemency Coordinator, are empowered to override an eligibility determination on a completed and approved RCR case. A Regional Administrator or a Parole Examiner Supervisor (hereinafter referred to as Supervisor) do not override a Parole Examiner's RCR eligibility determination in the MAC database.

The review of an Examiner's eligibility determination on all RCR cases is the responsibility of the Supervisor. If a Supervisor finds that an Examiner has incorrectly assessed an eligibility determination, the Supervisor and Examiner discuss the review and, if necessary, the Examiner makes the change to the eligibility determination in the MAC database. However, once a case is entered in the MAC database as having been "approved," a Supervisor cannot override the determination made by the Parole Examiner. To effectuate a change to a case determination that has been approved in the MAC database, the Supervisor must notify the Director or Coordinator by e-mail if an override to the database is necessary.

When an override of an eligibility determination is completed, the Director or Coordinator initiating the override notifies both the Supervisor and Examiner by e-mail. Pertinent information justifying this action is documented by the Director or Coordinator in the "Notes Section" of the MAC database.

Further, the Director or Coordinator analyze requests for overrides and routinely provide feedback to the Supervisor and Examiner by phone or e-mail to continually improve the RCR process.

In response to your recommendation, the Commission has formally requested a programming change to the MAC database for an automatic notification (flag) if an override to the database occurs on an eligibility determination. This programming change will be done on behalf of the Commission by the Department of Corrections' Information Technology Unit.

Finding No. 4: Performance Measures

Finding No. 4: The Commission's performance measures did not provide standards and results for each level of review or investigation and for backlog reduction.

Recommendation: *We recommend that, pursuant to Section 216.1827(3) (a), Florida Statutes, the Commission submit a request to the Executive Office of the Governor to amend its*

performance measures to include measures for each RCR eligibility level and for backlog reduction.

Commission's Response:

The Parole Commission began providing an annual *Proviso Report* to the Legislature on its RCR related clemency function and relevant data October 2002. This report has been mandated each year thereafter in the Commission's approved budget allocation set forth in the General Appropriations Act and the accompanying proviso language. Initially, the report was requested to provide the Legislature and the Governor's Office of Policy and Budget (OPB) with a status report so they could be fully informed on the following information: the number of pending RCR cases, the number of RCR cases processed, the RCR process currently in use, and the cost for processing these cases.

The October 1, 2009, Proviso Report will contain a breakdown of this information by category for Levels 1, 2, and 3 RCR cases. The most recent report provided October 1, 2008, was a 37 page, comprehensive document providing detailed responses to the *exact* information being requested in proviso language by the Legislature. In fact, the data contained in Table 1 and Table 4 of the audit report utilized information taken from the Commission's most recent Proviso Report.

Since the rule changes were adopted April 2007, we have had no directive or request from the Legislature or OPB to modify the Commission's performance measures or we would have responded accordingly. The current proviso language directing the Commission to submit a report for its review on or before October 1, 2009, does not include a request that we amend our performance measures.

Again, the Parole Commission does not make decisions or recommendations regarding policy on *any part* of the clemency process. However, the Parole Commission has remained consistent in its role of dutifully implementing and administering the clemency process. To this end, the Commission has forwarded your recommendations to the Clemency Board for their consideration.

Finding No. 5: Non-Capitalized Property

Finding No. 5: Accountability for Attractive or Sensitive Items

Recommendation: *To effectively safeguard the Commission's attractive and sensitive items that do not meet the capitalization thresholds, as well as the data stored on these items, we recommend that the Commission document the inventory of such items as well as any efforts to locate any unaccounted for property.*

Commission's Response:

In response to your recommendation, the Commission has taken corrective measures, which include a recent inventory by the Department of Corrections (Department) of the Commission's attractive and sensitive items. Effective July 1, 2009, the Department began providing all of

FPC's Information Technology services, which includes conducting future inventories of the Commission's attractive and sensitive information technology equipment and resources.

ATTACHMENT H

**RCR AD HOC COMMITTEE REPORT
FROM JACK DEREMER,
DIRECTOR OF OPERATIONS
TO
COMMISSION CHAIRMAN
FREDERICK B. DUNPHY
NOVEMBER 2, 2009**

Memorandum

DATE: November 2, 2009

TO: Frederick B. Dunphy, Chairman
Florida Parole Commission

FROM: Jack deRemer, Director of Operations

RE: **Clemency Process/RCR Committee Report**

INTRODUCTION:

In mid-2009, the Restoration of Civil Rights (RCR) process of the Florida Parole Commission (FPC) was reviewed by the Florida Auditor General's Office, as documented in their report No. 2010-010. This audit consisted of a review of the Florida Parole Commission's RCR process for the period July 2007 through February 2009.

The audit revisited 203 of the 199,046 cases that had been processed during that period. Due to the uniqueness of the Clemency process and functions, this case review was completed by Audit personnel looking on as Parole Commission employees actually went through the process. There were a total of 13 errors noted in the audit report.

The report contained five findings, four of which were related directly to the RCR process, including timeframes to process the RCR requests, RCR performance measures, quality assurance measures, and supervisory reviews.

Audit Report No. 2010-010 is the first external review that has been conducted on the RCR process since April 5, 2007 when the Clemency Board changed the RCR Rules. Taking corrective actions based upon the audit findings will strengthen the RCR process.

In response to the audit report and its findings, on September 29, 2009, Chairman Dunphy created an Ad Hoc Committee to review the current RCR practices and recommend improvements. This is the report as a result of that committee.

HISTORY:

The Florida Parole Commission was created by law in 1941, to administer parole in the state of Florida and has seen many transformations over its inception. Since that time, the administration of conditional release, conditional medical release, control release, and addiction recovery has been placed under the Commission. The Commission also acts as the investigative arm of the Governor and Cabinet, sitting as the Board of Executive Clemency ("Clemency Board"), in clemency matters.

Over the years there has been a series of policy changes created by court decisions, administrative rule changes, and lawsuits that have had direct impact on the RCR workload of the Commission, and its resulting backlog of pending RCR cases. Some of these factors have been:

- 2001 lawsuit titled Florida State Conference of Black Legislators v. Crosby(DOC); the impact of this lawsuit resulted in an increase of over twice the amount of new RCR cases being received (137,242 cases) and over three times the amount of requests being processed (118,671 cases) in FY 02/03 compared to the previous year. This lawsuit created a

tremendous increase in workload since thousands of RCR cases had to be reviewed.

- Decision by the Clemency Board in April 2007 to adopt rules that substantially altered the RCR process. These changes once again created a substantial increase in RCR cases as was previously received and processed, which has also led to an increase in pending cases.
- A series of budget reductions and loss of staff positions over the last several years has led to a decrease in the number of FTE's to process cases received. The Commission had 67 FTE's committed to the RCR process in FY 04/05 (40,142 cases completed) and in FY 08/09 the Commission had 44 FTE's (76,069 cases completed) committed to the RCR process.
- As noted in Audit Report No. 2010-010, Finding No 4, "our analysis of the number of pending Eligibility Level 1, 2, and 3 cases as of February 1, 2009, disclosed that the Commission would require 71 employees working exclusively on RCR for a year to eliminate the accumulation of pending cases."

CURRENT PROCESSES:

The RCR investigative process is basically a detailed background investigation of the applicant, to determine if he/she has fulfilled the requirements of the original conviction (such as payment of all restitution, etc.) and has not committed any other violations of law since the original conviction which would preclude the restoration of his/her civil rights. The Director of Clemency Administration assigns cases to the FPC Regional offices as well as to examiners in the Office of Clemency Administration. Cases are received once a month electronically from Department of Corrections (DC) and then distributed to the various offices throughout the month based upon the staffing level of the office and current workload demands. The Director assigns cases directly to examiners within the Office of Clemency Administration; however, cases are assigned to the Regional Administrator for further distribution in each of the regional offices.

The majority of this type of investigation involves the checking of a plethora of electronic databases that should (or may) contain verifying or disqualifying information. These databases include local, county, state and federal court records, assorted state agency databases (driver's license information, civil records, etc).

There are approximately thirty seven (37) potential resources within the various databases and websites, internally within the DC network and externally, that must be checked to do a complete RCR investigation. More than half of the resources that need to be checked are the various unconnected screens contained within the Department of Corrections CDC inmate/offender records system.

As they now exist, all of these resources must be checked individually. This requires a very large number of repetitive, tedious, and often redundant database searches that may be required to locate, verify, or disprove information. This process is further complicated by the fact that many of the applicant's initial offenses may have occurred 10, 20 or 30 years ago, and the data needed may or may not be available on-line, may or may not be current,

and may or may not be reliable. The complexity and ambiguity of this process readily lends itself to what the committee refers to as "errors of distraction" or "errors of interruption." Parole examiners are often forced to make decisions based on limited or conflicting available data and his/her own experience in analyzing this data in consultation with their supervisor.

The committee concurs with the Auditors General's report in that there is room for improvement in the supervisory review and quality control aspects of the RCR process. As caseloads have increased exponentially over recent years, our processes have sought to adapt to this increase by focusing on increasing the numbers of completed cases, without a corresponding enhancement of the supervisory review process. In fact, in several FPC Regions, the supervisors are also performing RCR investigative duties in addition to their supervisory role. In short, the review process has been applied in a random manner, without any defined criteria in the regions, such as review sample size, review components, or procedure.

RECOMMENDATION:

The committee has held weekly meetings to discuss the following areas: committee mission, goals, issues to be addressed, action plan, history of the RCR process, including the effects that rule changes and budget reductions have had on the process, the current process and ways to improve. The committee is recommending a number of options.

The Commission has indentified in its 2010-11 Long-Range Program Plan information necessary to clearly reflect data relative to workload and cost for each type of case. It has also submitted for the Legislatures' approval the establishment of performance measures as was recommended in Audit Finding No. 4 to help eliminate the back log of pending cases.

As a result of this committee, Commission staff have developed an Expiration of Sentence/Termination of Supervision (EOS/TOS) Eligibility Review Procedure and a form for Parole Examiners to use when completing an eligibility review for EOS/TOS cases and for Regional Administrators/Supervisors to use when conducting quality assurance reviews on the completed EOS/TOS cases.

Varying styles of this form previously existed in the RCR eligibility process. The committee collected and extensively reviewed all the existing forms. Clemency staff in the field and Central Office designed the form content which has been expanded to capture more details of the case review. This new form serves a dual purpose, as a uniform system for a checklist to assist in determining eligibility and as a tool for conducting supervisory reviews.

The audit report recommended that the Commission increase quality assurance measures to ensure that eligibility determinations were made in accordance with Clemency Board Rules. In response, the committee recommends developing statewide policy on conducting quality assurance reviews. A standard formula should be used to randomly pull a sampling that is reflective of the files being completed in each region. A sample size calculator can be found at <http://www/surveysystem.com/sscalc.htm>. This sample size will equate to the number of files needed in order to obtain a confidence interval of 5% with a confidence level of 95%; the same standard used in the audit report. From this sample size calculation, an Excel calculation will be used to select the actual files to be pulled in sequential order, creating a random sampling of the files needed for a specific review. This random sampling alleviates any potential conflicts or bias by the Commission or its employees.

The administrator/supervisor will be required to indicate on the review form that this file was reviewed and note any errors in the remarks section of MACNET, as a part of this supervisory quality assurance review process. These forms will be retained in each office for a period to be determined by Senior Management to serve as documentation of the supervisory quality assurance review process at the Regional level.

The committee recommends an additional level of review for EOS/TOS cases from those cases eligible to be placed on Executive Order for approval, establishing a Quality Assurance Unit within the Director of Clemency Administration's office. Examiners from the Clemency Administration office will be used to conduct the quality assurance process, acting as reviewers. The examiners for this unit will receive their direction and report their findings directly to the Chairman and/or his designee.

The examiners in Clemency Administration working as the Quality Assurance Unit will use the same EOS/TOS Eligibility Review Form and procedures as used in the field to determine the number of files and which files are pulled for quality assurance review. The review forms and results of all quality assurance reviews shall be retained for a period as determined by Senior Management.

The use of a written form for both the supervisory review and Quality Assurance functions will allow everyone involved in the process to evaluate the effectiveness of this new process; the process and form can also be fairly easily modified to enhance its value to the agency. The committee suggests that once Senior Management is satisfied that this process is achieving the desired results, the review process may be incorporated into our existing MACNet Clemency database system, which will further increase its effectiveness and accessibility.

ADDITIONAL FINDINGS AND RECOMMENDATIONS:

The committee has discussed the current RCR review process with the DC OIT System's Development staff, and has initiated a feasibility study to explore the creation of a web-based application that would retrieve **all** of the data from **all** of the CDC screens with one web-based inquiry. This concept has been used successfully with other large groupings of CDC data screens, and would have a tremendous and positive impact on both the efficiency and accuracy of this portion of the RCR investigative process. Once this system has been developed and implemented, the committee would recommend exploring the possibility of incorporating other RCR-required external databases into the same system.

It is also recommended that the committee revisit the issues contained in this report and the progress measured on the implemented changes. The committee shall recommend any further changes as may be deemed necessary to the Chairman as it relates to the issues identified in this report.