



FLORIDA COMMISSION ON OFFENDER REVIEW

MELINDA N. COONROD
Commissioner/ Chair

RICHARD D. DAVISON
Commissioner/Vice-Chair

DAVID A. WYANT
Commissioner/Secretary

LONG RANGE PROGRAM PLAN

Florida Commission on Offender Review
Tallahassee, Florida

September 29, 2023

Chris Spencer, Director
Office of Policy and Budget
Executive Office of the Governor
1702 Capitol
Tallahassee, Florida 32399-0001

J. Eric Pridgeon, Staff Director
House Appropriations Committee
221 Capitol
Tallahassee, Florida 32399-1300

Tim Sadberry, Staff Director
Senate Committee on Appropriations
201 Capitol
Tallahassee, Florida 32399-1300

Dear Directors:

Pursuant to Chapter 216, Florida Statutes, the Long Range Program Plan (LRPP) for the Florida Commission on Offender Review is submitted in the format prescribed in the budget instructions. The information provided electronically and contained herein is a true and accurate presentation of our mission, goals, objectives, and measures for Fiscal Year 2024–25 through Fiscal Year 2028–29. The internet website address that provides the link to the LRPP located on the Florida Fiscal Portal is www.fcor.state.fl.us. The submission has been approved by Melinda N. Coonrod, Chairman of the Commission.

Sincerely,

Melinda N. Coonrod
Chairman/Commissioner

LONG RANGE PROGRAM PLAN FISCAL YEARS 2024–25 THROUGH 2028–29

September 29, 2023



FLORIDA COMMISSION ON OFFENDER REVIEW

A Governor and Cabinet Agency Created in 1941

Florida Commission on Offender Review

Mission Statement:

*To ensure public safety and provide victim assistance
through the post-prison release process.*

Agency Goals

The Florida Commission on Offender Review (Commission) has five goals designed to provide for public safety and increased efficiency while striving to meet the Commission's approved performance measures and standards.

GOAL 1. To select appropriate individuals for parole.

GOAL 2. To ensure informed decision-making by the Commission and Board of Executive Clemency (Board).

GOAL 3. To guarantee timely decisions.

GOAL 4. To ensure informed decision-making by the Board on Restoration of Civil Rights (RCR) *Without a Hearing* cases.

GOAL 5. To ensure informed decision-making by the Board on RCR *With a Hearing* cases.

Agency Objectives

The Commission has five goals designed to provide for public safety and increased efficiency while striving to meet the Commission's approved performance measures and standards.

GOAL 1. To select appropriate individuals for parole.

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

GOAL 2. To ensure informed decision-making by the Commission and Board.

OBJECTIVE 2A: To provide complete and accurate information to the Commission on parole, conditional medical release, control release, conditional release, and addiction recovery release decisions, and to the Board on non-RCR¹ cases.

GOAL 3. To guarantee timely decisions.

OBJECTIVE 3A: To complete the revocation process within specific time frames.

GOAL 4. To ensure informed decision-making by the Board on RCR *Without a Hearing* cases.

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

GOAL 5. To ensure informed decision-making by the Board on RCR *With a Hearing* cases.

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

¹ Non-RCR: 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; requests for review; and capital case (death penalty) reviews.

Service Outcomes & Performance Projection Tables

- GOAL 1:** To select appropriate individuals for parole.
OBJECTIVE 1A: To identify individuals who will succeed as law-abiding citizens.
OUTCOME: Percentage of parolees who have successfully completed their supervision without revocation within the first three years of release.

BASELINE YEAR FY 1999–2000	FY 2024–25	FY 2025–26	FY 2026–27	FY 2027–28	FY 2028–29
90%	90%	90%	90%	90%	90%

The Commission exceeded its projected goal of 90% in FY 2022–23. Forty inmates were released to parole during the reporting period, and 97.5%, successfully completed their supervision without revocation within the first three years of release.

- GOAL 2:** To ensure informed decision-making.
OBJECTIVE 2A: To provide complete and accurate information to the Commission on parole, conditional medical release, control release, conditional release, and addiction recovery release determinations and to the Board on non-RCR cases.
OUTCOME: Percentage of all cases placed before the Commission and Board of Executive Clemency containing no factual errors.

BASELINE YEAR FY 1999–2000	FY 2024–25	FY 2025–26	FY 2026–27	FY 2027–28	FY 2028–29
83%	98%	98%	98%	98%	98%

The Commission exceeded its projected goal of 98% by placing 99.9% of its cases before the Commission and the Board with no factual errors in FY 2022–23.

- GOAL 3:** To guarantee timely decisions.
OBJECTIVE 3A: To complete the revocation process within specific time frames.
OUTCOME: Percentage of revocation cases completed within 90 days after final hearing.

BASELINE YEAR FY 1999–2000	FY 2024–25	FY 2025–26	FY 2026–27	FY 2027–28	FY 2028–29
95%	99%	99%	99%	99%	99%

The Commission exceeded its projected goal of 99% in FY 2022–23 by completing 100% of revocation cases within 90 days after the final hearing was held or waived.

Service Outcomes & Performance Projection Tables

- GOAL 4:** To ensure informed decision-making.
OBJECTIVE 4A: To ensure that eligibility determinations and investigatory information provided to the Board for RCR *Without a Hearing* cases contain no factual errors.
OUTCOME: Percentage of RCR *Without a Hearing* cases provided to the Board of Executive Clemency containing no factual errors.

BASELINE YEAR FY 2011–12	FY 2024–25	FY 2025–26	FY 2026–27	FY 2027–28	FY 2028–29
100%	99%	99%	99%	99%	99%

The Commission exceeded its projected goal of 99% in FY 2022–23 by providing 100% of RCR Without a Hearing cases to the Board of Executive Clemency with no factual errors.

-
- GOAL 5:** To ensure informed decision-making.
OBJECTIVE 5A: To ensure that eligibility determinations and investigatory information provided to the Board for RCR *With a Hearing* cases contain no factual errors.
OUTCOME: Percentage of RCR *With a Hearing* cases provided to the Board of Executive Clemency containing no factual errors.

BASELINE YEAR FY 2011–12	FY 2024–25	FY 2025–26	FY 2027–28	FY 2027–28	FY 2028–29
99%	99%	99%	99%	99%	99%

In FY 2022–23, the Board did not request RCR With a Hearing Cases from the Commission.

Linkage to Governor's Priorities

Governor's Priorities

- 1. Restore and Protect Florida's Environment**
- 2. Improve Florida's Education System**
- 3. Economic Development and Job Creation**
- 4. Health Care**
- 5. Public Safety**
- 6. Public Integrity**

The Commission's Long Range Program Plan (LRPP) aims to commit the agency's existing resources to ensure public safety and provide victims' services for the citizens of this state in an effective and efficient manner. The Commission's highest priority is to ensure public safety, consistent with the Governor's priorities.

All five of the Commission's goals link to the Governor's fifth priority, **Public Safety**.

GOAL 1 To select appropriate individuals for parole.

GOAL 2 To ensure informed decision-making by the Commission and Board.

GOAL 3 To guarantee timely decisions.

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

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

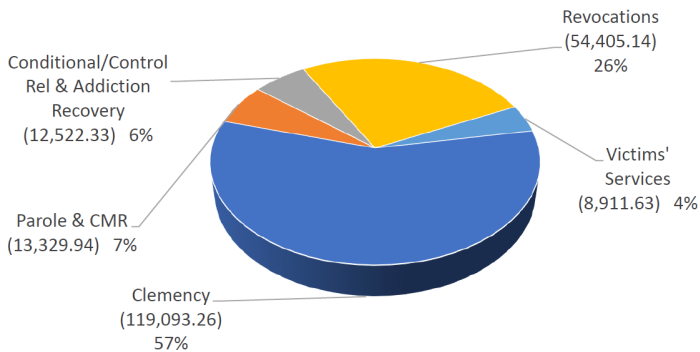
The Commission performs a vital role in Florida's criminal justice system by preserving the autonomy needed in post-release decisions affecting inmates and offenders.

Commissioners preside over weekly hearings. During these public proceedings, the Commissioners make a variety of determinations regarding parole, conditional medical release, control release, conditional release, and addiction recovery release supervision.

The Commission also operates as the administrative and investigative arm of the Board of Executive Clemency and reports directly to the Governor and Cabinet. The coordinator of the Office of Executive Clemency is appointed by the Board; is the official custodian of clemency records; provides verification of eligibility and Board actions; processes preliminary review lists; and prepares the agenda, orders, and certificates. The Office of Clemency Investigations and Field Services staff conduct comprehensive, confidential investigations for the Board on clemency applicants.

Trends & Conditions Statement

Workload Hours by Activity FY 2022–23



The purpose of the Post-Incarceration Enforcement and Victims' Rights Program is:

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

The Commission's LRPP for FY 2024–25 through FY 2028–29 is a five-year plan based on established and proposed goals and objectives. In the development of the LRPP, the Commission reviewed and evaluated the services and activities funded in the current year to determine their effectiveness and efficiency. The Commission, as it exists today, has a multitude of duties.

Created in 1941, the Commission is a constitutionally authorized, quasi-judicial, decision-making body. Article IV, Section 8(c) of the Florida Constitution, provides that there may be created by law "a parole and probation commission" with the power to supervise persons on probation and grant paroles or conditional releases to persons under sentences for crimes (section 20.32,

Florida Statutes). Since that time, the legislature has added the administration of conditional medical release (CMR), control release, conditional release, addiction recovery release supervision, and the administration of the capital clemency case counsel list to the Commission's primary duties and responsibilities.

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

Towards the end of continuing to meet the demands of the Commission's important role in the criminal justice system of the state of Florida, the Commission has requested the following funding:

The Commission requests funding to address compression due to the minimum wage increase and retention for the following positions: Five regional administrators, seven commission investigator Supervisors, three acting supervisors, 66 full-time equivalent commission investigators, administrative analyst, program administrator, and 10 part-time equivalent commission investigator positions, which includes salary and benefits. This issue directly supports the goals of the Commission's Long Range Program Plan (LRPP) to select appropriate individuals for parole, conduct revocation hearings, ensure informed decision-making by the Commission and the Board of Executive Clemency (Board), and ensure timely decisions.

The Commission requests funding for litigation expenses in order to acquire, as necessary, representation in litigation arising from or related to Commission duties and responsibilities. The Commission has no existing litigation funds appropriation. In addition,

Trends & Conditions Statement

the Commission has limited legal staff and resources and employs only four attorneys, including its General Counsel. Such limited legal staff makes it difficult for the Office of the General Counsel to handle protracted litigation or litigation pending in venues outside of Leon County without the aid of outside counsel. Furthermore, the commissioners and the coordinator of the Office of Executive Clemency (OEC), housed within the Commission, are regularly named in litigation along with the Governor and Cabinet as defendants in clemency and related matters.

Additionally, the Commission requests funding to provide an armed security guard at the Commission's Central Office in Tallahassee. The Commission is responsible for determining whether to release offenders on parole or CMR, as well as establishing the terms and conditions of supervision for post-incarceration supervised releases such as parole, conditional medical release, conditional release, addiction recovery supervision, and control release. The Commission is also responsible for making final determinations regarding alleged violations of the above post-incarceration supervised releases. The Commission acts as the investigative arm of the Governor and Cabinet, sitting as the Board in clemency matters.

The Florida Department of Law Enforcement Capitol Police informed the Commission that it is the only state agency within the Capital Circle Office Complex that has public access without a security guard.

Due to multiple security incidents at the Central Office, the Commission needs to hire an armed security guard to protect staff and sensitive information by ensuring that unauthorized individuals do not gain access to secure areas. In addition, commissioners and commission personnel are routinely involved in decisions that affect the incarceration or supervision status of convicted felons, many of whom are violent, habitual offenders. Because there are two sides to most of these cases (offender and victim), regardless of the outcome, someone may be upset, threatening, or violent.

The Commission also requests funding to replace its 2008 Chevrolet Impala located at Central Office. The Chevrolet Impala is 16 years old, 4 years older than the

drop-dead age of 12 years. The Commission requests its 2008 Impala be replaced with a Chevrolet Equinox.

The Commission is statutorily mandated to hold multiple public hearings at various locations throughout the state each year. In order to hold these hearings, Commission staff must transport luggage, audio visual equipment, paper files, and other items. In order to hold these hearings, all Commissioners and multiple other Commission staff members must attend these hearings. The current Chevrolet Impala does not meet the operational needs of the Commission required to carry out its statutory duties and responsibilities.

Furthermore, the Commission requests funding for state cars for the regional field offices. The commission investigators at the field offices are responsible for routinely traveling to county jails and state correctional institutions to conduct revocation hearings and parole interviews. The commission investigators currently utilize a rental car for travel, causing them to spend a significant amount of travel time picking up and returning the rental car. By providing the field offices with a state car in their region, the commission investigators will decrease travel time and manage their work time more efficiently.

The Commission requests funding to update its information technology (IT) applications necessary to ensure the Commission can, with accuracy and timeliness, meet its statutory timeframes and related requirements as to parole, CMR, conditional release, addiction recovery supervision, and control release and its Governor and Cabinet requirements as to executive clemency.

In 2009, the Legislature transferred all Commission IT resources to the Department of Corrections (Department). The result of this transfer is that the Commission, through a service level agreement, is a customer of the Department for all of its IT service needs.

The Commission has 10 applications considered to be legacy because the hardware or software used in or with the applications is beyond end-of-life. Each of these applications is critical to the mission of the Commission. An application "crash" would severely

Trends & Conditions Statement

impact and gravely affect Commission workflow.

Lastly, the Florida Commission participated in a federal grant from fiscal year 2004-05 through September 30, 2022. The Commission is no longer participating in the grant and requests a reduction in Trust Fund authority in the amount of \$134,454.

Each of these requests are consistent with the Governor's priority to ensure public safety and to develop and implement comprehensive threat assessment strategies to identify and prevent threats to the public. This funding request aligns with the following strategies contained in Florida's Strategic Plan for Economic Development 2018-2023: Section 6.1 Quality of Life and Quality Places Create and sustain vibrant, safe, healthy, and resilient communities that attract workers, residents, businesses, and visitors.

Victims' Services

Victim assistance is a key tenet of the Commission's mission and is considered vitally important. Article I, Section 16(b) of the Florida Constitution, and sections 947.06 and 960.001, Florida Statutes, address the need to protect the rights of victims of crime and the need for victims' input in the criminal justice process. Victims' Services provides direct, personal assistance to crime victims and their families, assuring their opportunity to participate in the parole, CMR, control release, conditional release, addiction recovery release supervision, and clemency processes.

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

On June 30, 2023, there were approximately 3,498 inmates with parole-eligible cases in which victim input would be appropriate. Additionally, the majority of clemency cases require victim input.

Victim input plays a critical role in assisting the Commission and the Board to make informed decisions. Great effort must be spent trying to locate victims who may have relocated, changed their names through marriage, or have been out of contact with the criminal justice system for many years. Employing trained, professional staff to assist victims of crimes ensures that the victim's rights are protected and that he or she is not subjected to further victimization as a result of a release or clemency decision.

On July 1, 2010, recently amended sections 947.16, 947.174, and 947.1745, Florida Statutes, gave the Commission authority to increase the interval between parole consideration re-interviews from five years to within seven years for parole-eligible offenders who were convicted of murder, attempted murder, sexual battery, or attempted sexual battery, or who are serving a 25-year minimum mandatory sentence under section 775.082, Florida Statutes. Currently, Victims' Services comprises 4% of the Commission's workload with central and field office staff providing 13,675 victim assists during FY 2022-23.

Amended sections 947.16, 947.174, and 947.1745, Florida Statutes, gave the Commission authority to increase the interval between parole consideration re-interviews from two years to within seven years for parole-eligible offenders who were convicted of specified crimes. The Commission's mission is to provide for public safety with goals that seek to ensure the safety of Florida's citizens and to do so in an effective and efficient manner. Lengthening the time between subsequent interview dates for those inmates who pose the greatest risk to the public, and who are not expected to receive parole in the near future, reduces further victimization and trauma to crime victims and their families.

Parole

The Commission administers parole (Chapter 947 and 949, Florida Statutes), a discretionary prison release

Trends & Conditions Statement

that allows an inmate who has been granted parole to serve the remainder of his prison sentence outside of the confines of the institution. Once released, the parolee is subject to strict conditions of supervision set by the Commission. The Commission monitors the parolee's progress through supervision reviews and conducts preliminary and final revocation hearings when a parolee is alleged to have violated a condition(s) of supervision. If a parolee is found to have willfully and substantially violated the terms and conditions of his supervision, the Commission may return the parolee to prison. Commission field offices conduct Interstate Compact probable cause hearings as a courtesy for the Department of Corrections (Department).

Inmates eligible for parole are those who committed:

1. Any felony committed prior to October 1, 1983, or those who elected to be sentenced outside the guidelines for felonies committed prior to July 1, 1984;
2. All capital felonies committed prior to October 1, 1995, except:
 - a.) murder or felony murder committed after May 25, 1994;
 - b.) making, possessing, throwing, placing, or discharging a destructive device or attempt to do so which results in the death of another person after May 25, 1994;
 - c.) first degree murder of a law enforcement officer, correctional officer, state attorney, or assistant state attorney committed after January 1, 1990; and
 - d.) first degree murder of a justice or judge committed after October 1, 1990.
3. Any continuing criminal enterprise committed before June 17, 1993; and
4. Any attempted murder of a law enforcement officer committed between October 1, 1988, and October 1, 1995.

On June 30, 2023, 3,498 inmates were eligible for parole and 363 releasees were on parole supervision. In FY 2022–23, the Commission made 876 parole determinations and granted parole to 28 inmates.

The Commission exceeded its projected goal of 90% for the reporting period by 97.5%, with all paroled inmates successfully completing their supervision without revo-

cation within the first three years of release.

Conditional Medical Release

In 1992, the Florida Legislature created the Conditional Medical Release Program (section 947.149, Florida Statutes), a discretionary release allowing the Commission to release inmates on supervision who are "terminally ill" or "permanently incapacitated" and who are not a danger to themselves or others. The Department is charged with the responsibility of recommending to the Commission cases to be considered for CMR. Upon release, the offender is subject to conditions of supervision set by the Commission. The Commission monitors the offender's progress through periodic medical reviews and conducts revocation hearings when alleged violations are reported. If the Commission determines that an offender has willfully and substantially violated a condition(s) of supervision, the Commission may return the offender to prison if the offender's medical or physical condition improves.

When an onsite or in-person investigation of a proposed CMR plan is not possible, investigators utilize technology such as telephone and video conferencing and image sharing to complete investigations, so long as the quality and intent of the investigations are not reduced, and all necessary information and evidence can be obtained through the use of technology. This process was initially added as a result of the COVID-19 pandemic.

Also, in May 2020, in response to the COVID-19 pandemic, the Commission began holding telephonic hearings for CMR cases during weeks the Commission did not have regularly scheduled parole hearings in order to ensure that the Commission is as responsive as possible to CMR referrals received from the Department.

Although the two changes above were initially made in response to the COVID-19 pandemic, the Commission has adopted both practices permanently to improve efficiency and responsiveness for all CMR referrals.

The Department has recommended 201 inmates for release in the past three fiscal years. The Commission granted release to 100 or 49%, of those recommended by the Department. In FY 2022–23, the Commission granted 28 of the 57 inmates recommended by the Department for CMR, or 49%.

Trends & Conditions Statement

Conditional Release

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

Inmates who are subject to conditional release and have reached their tentative release date as calculated by the Department are supervised for the remainder of their sentence(s), which is equivalent to the amount of gain time or other credit earned while incarcerated. These offenders are subject to strict conditions of supervision set by the Commission. The Commission monitors their progress through supervision reviews and conducts revocation hearings when an offender is alleged to have violated a condition(s) of supervision. If a conditional releasee is found to have willfully and substantially violated a condition(s) of supervision, the Commission may return the offender to prison. On June 30, 2023, 2,598 releasees were on conditional release supervision. In FY 2022–23, the Commission set terms and conditions for 4,881 releasees.

Addiction Recovery

In 2001, the Florida Legislature created the Addiction Recovery Supervision Program (section 944.7431, Florida Statutes) and placed it under the Commission's administration. This program requires mandatory post-prison supervision for offenders released from a state correctional facility who are convicted of a crime committed on or after July 1, 2001, and have a history of substance abuse or addiction or have participated in any drug treatment, and have not been convicted of a disqualifying offense. Upon release, the offender is subject to strict conditions of supervision set by the Commission. The Commission monitors the offender's progress and conducts revocation hearings when an offender is alleged to have violated a condition(s) of supervision. If the Commission finds the offender willfully and substantially violated a condition(s) of supervision, the Commission may return the offender to prison. During FY 2022-23, the Commission placed

567 offenders on addiction recovery supervision. As of June 30, 2023, there were 142 offenders on addiction recovery supervision.

Control Release

In 1989, the Florida Legislature created the Control Release Authority (section 947.146, Florida Statutes) with the members of the Commission acting as the release authority. When active, control release is used as a prison population management tool to keep the prison population at less than 99% of total capacity. Today, a small number of control releasees remain under supervision. The Commission monitors their progress through supervision reviews and conducts revocation hearings when an offender is alleged to have violated a condition(s) of supervision. If the Commission finds the offender has willfully and substantially violated a condition(s) of supervision, the Commission may return the offender to prison.

Revocations

The revocation process is essential to the Commission's mission to ensure public safety and comprises 26% of the agency's workload. The violation process begins when law enforcement or the Department notifies the Commission that an offender under supervision has allegedly violated one or more conditions of their supervision. The Revocations Unit is responsible for reviewing these reported violations and preparing a warrant for a Commissioner's signature; updating the National Crime Information Center/Florida Crime Information Center databases; responding to requests from law enforcement agencies; and coordinating the extradition of out-of-state violators. In FY 2022–23, the Commission issued 1,788 warrants.

Revocation hearings are quasi-judicial fact-finding hearings conducted by a commission investigator for offenders under parole, CMR, control release, conditional release, or addiction recovery release supervision, when these offenders are charged with violating a condition(s) of supervision. These hearings include parole preliminary hearings, final revocation hearings for all types of supervision, release on own recognizance (ROR) hearings, and courtesy Interstate Compact probable cause hearings for the Department. Revocation hearings include testimony from witnesses and the admission of evidence and are usually held at the county jail where the offender was arrested on the

Trends & Conditions Statement

Commission warrant. In FY 2022–23, the Commission completed 100% of revocation proceedings within 90 days of the final hearing.

The Revocations Unit conducts an in-depth analysis of hearing and waiver packages prepared by commission investigators and docketed the cases for final Commission action. Docketing and processing cases for Commission action includes review of supervision eligibility and supervision violations. In FY 2022–23, the Revocations unit docketed 4,919 revocation events.

Clemency

The Governor and members of the Cabinet sit as the Board and set forth the Rules of Executive Clemency. The Commission operates as the administrative and investigative arm of the Board. Clemency is a constitutionally authorized process. The forms of clemency include 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; and capital case (death penalty) reviews.

In Florida, when a person is convicted of a felony, they lose the right to vote, serve on a jury, hold public office, and possess a firearm. Administered by the Commission, the clemency process provides the means through which an offender may have some or all of their rights restored. The clemency process also provides a means by which the Board may consider an offender for relief from punishment. Persons seeking or being considered today for clemency relief are either incarcerated, released from a correctional facility, or have completed their term of supervision. An inmate may apply for commutation of sentence through a request for review as set forth in the Rules of Executive Clemency.

The Rules of Executive Clemency were revised on March 10, 2021. The type of clemency investigation conducted by the Commission primarily depends on the form of clemency being sought. The Rules of Executive Clemency provide detailed information regarding eligibility criteria. The depth and scope of each investigation vary by type, and some types have different waiting periods after completion of sentence.

The Commission assists the Board in the orderly

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

Information is also available on the clemency page of the Commission's website (www.fcor.state.fl.us/clemencyoverview.shtml), including application forms and instructions. Individuals may also check to see whether their civil rights have been granted. If granted, a copy of the certificate may be printed directly from the website. As of June 30, 2023, there have been 1,253,140 RCR certificates located; 129,921 RCR certificates printed; and 378,893 RCR certificates available. The Commission provides the Board's action to the Florida Department of State (DOS), Division of Elections, on a daily basis so that it may use the information for verification purposes with the Central Voter Registration Database. In FY 2022–23, 5,487 clemency cases were completed. In addition, there were 466 clemency cases that have been determined eligible and fully investigated by commission investigators but were waiting final action by the Board for a total of 5,953 cases completed for the fiscal year.

In addition, the clemency coordinator is the official custodian of all current and historical clemency records. The OEC processes on average 400 requests monthly from inquiring criminal justice agencies regarding clemency action on individuals being investigated and/or prosecuted.

To continue to meet our goals and serve the state of Florida, the Commission is requesting funds for two government analyst II positions. These positions will address increased workload demands. These positions will handle confidential information, utilizing numerous records and databases of the Commission, federal, state, and county criminal justice agencies, interact with applicants, Clemency Aides, other state, federal, and local agencies, and the general public, assist with special Board initiatives, and conduct clemency

Trends & Conditions Statement

investigations.

For each of the eight different forms of clemency, there is a separate process for dissemination to the Board, documentation in the record, written notification to the applicant, and document filing with the DOS. For each case submitted, the Board may grant, deny, or refer the case back for further investigation or information. This issue directly supports the goals of the Commission's Long Range Program Plan to ensure informed decision making by the Commission and the Board.

The Commission also requests funding to be transferred from Other Personal Services (OPS) category to the Salary and Benefits category. This request is to convert three OPS OEC civil rights review specialist II positions and one OPS revocation commission technician II position to three full-time equivalent (FTE) civil rights review specialist II positions and one FTE commission technician II position. This issue directly supports the goals of the Commission Long Range Program Plan to ensure informed clemency decision-making by the Commission and the Board and to timely process cases for Commission action involving review of supervision and violations of supervision.

Retention is critically important to ensure that the Commission effectively meets its constitutional responsibilities. The Commission operates as the administrative and investigative arm of the Board. The forms of clemency include 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, and capital case reviews.

Fulfillment of this request will enable the Commission to recruit and retain employees capable of working under increasing demands and who can conduct multiple in-depth tasks simultaneously. The Rules of Executive Clemency are unique and complex in nature, requiring an ability to understand, interpret, and apply the Rules to specific and particular sets of circumstances.

These requests are consistent with the Governor's priority to ensure public safety to develop and implement comprehensive threat assessment strategies to identify and prevent threats to the public. This funding request aligns with the following strategies contained

in Florida's Strategic Plan for Economic Development 2018 2023: Section 6.1 - Quality of Life and Quality Places create and sustain vibrant, safe, healthy, and resilient communities that attract workers, residents, businesses, and visitors.

GOAL ONE

The Commission's first goal is to select individuals for parole who will succeed as law-abiding citizens. The Commission conducts a thorough review of an inmate's record when determining whether or not to release an inmate on parole.

The Commission reviews the circumstances and seriousness of the offense, as well as the inmate's prior criminal record, education, employment history, risk assessment evaluations, disciplinary record, and program participation while incarcerated, substance abuse history, and any other information that would impact a release decision. Commission investigators interview the inmate at the institution, review the entire institutional record and the inmate's release plan, and provide the Commission with an investigative report. The Department provides mental health records upon request.

In order to grant an inmate parole, the Commission is required to make a finding that there is a reasonable probability that the inmate will be law-abiding, will not become a public charge, and that their release will be compatible with his or her own welfare and the welfare of society. The Commission sets the conditions of supervision for those released on parole. The conditions are intended to protect the public and facilitate the parolee's successful reintegration into society. The inmate must agree to the conditions of supervision in order to be paroled. If the parolee willfully and substantially violates the conditions of supervision, the Commission may revoke supervision and return the offender to prison.

The Commission exceeded its projected goal of 90% in FY 2022–23 for goal one. Forty inmates were released to parole during the reporting period, and 97.5% successfully completed their supervision without revocation within the first three years of release.

GOAL TWO

The Commission's second goal is to ensure informed

Trends & Conditions Statement

decisions are made by placing cases before the Commission and the Board that have no factual errors. The objective of this goal is to ensure that the Commission and the 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. "Accurate information" means that the information presented has been verified, or there is a statement in the report or investigation as to the reason the information could not be verified. "Factual errors" are defined as an omission of information or reporting incorrect information. These errors do not include typographical errors.

The types of cases reviewed for errors include non-RCR clemency investigations, cases considered for release, and revocation hearings. The Commissioners and the Board identify errors in the reports and investigations for the various types of cases reviewed. These errors are tabulated and expressed as a percentage of the total number of cases that are placed before the Commission and the Board. Targeting the error rate through performance measures allows the Commission to thoroughly evaluate errors and improve the release, revocation, and non-RCR clemency process.

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

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

The percentage of cases placed before the Commission

and Board containing no factual errors for FY 2022-23 was 99.9%, exceeding the goal of 98%.

GOAL THREE

The Commission's third goal is to guarantee timely decisions by ensuring that once the final revocation hearing has been held or waived for control release, conditional release and addiction recovery release supervision cases, the Commission will render its decision within 90 days. The Commission exceeded its goal and will strive to maintain this high level of performance.

GOALS FOUR & FIVE

The Commission's fourth and fifth goals focus on ensuring informed decisions are made by placing RCR cases before the Board containing no factual errors. RCR cases are categorized as RCR Without a Hearing and RCR With a Hearing investigations.

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

The Commission acknowledges the significance and importance of the RCR process and provides quality investigative reports. Utilizing performance measures allows the Commission to evaluate the error rate of RCR cases and to improve the process. Errors are identified in Executive Orders and investigations for the various types of RCR cases reviewed. These errors are tabulated and expressed as a percentage of the total number of RCR cases that are placed before the Board.

The Commission addresses this priority by establishing clear policies and procedures, providing training, completing QA reviews, and holding bimonthly clemency staff teleconferences. This ensures that staff produce a quality work product by providing clear direction as to

Trends & Conditions Statement

what is expected in the performance of their duties. Training provides detailed instruction on the Rules of Executive Clemency and the correct procedures when conducting a clemency investigation. The QA reviews are conducted by central office clemency staff. Bi-monthly, statewide clemency teleconferences address questions from the field staff, provide a forum to discuss policies and procedures, and allow Clemency Investigations' staff the opportunity to discuss any relevant issues.

The Commission provided 100% of RCR without a Hearing cases to the Board without factual errors. There were no RCR With a Hearing cases provided to the Board in FY 2022–23.

FLORIDA COMMISSION ON OFFENDER REVIEW

Performance Measures & Standards—Exhibit II

Performance Measures & Standards—Exhibit II

LRPP Exhibit II - Performance Measures and Standards				
Department: Florida Commission on Offender Review		Department No.: 78000000		
Program: Adult Prisons		Code: 78000000		
Service/Budget Entity: Post-Incarceration Enforcement and Victims' Rights		Code: 1206000000		
Approved Performance Measures for FY 2023-24	Approved Prior Year Standard FY 2022-23	Prior Year Actual FY 2022-23	Approved Standard for FY 2023-24	Requested Standard for FY 2024-25
Percentage of revocation cases completed within 90 days after final hearing	99%	100%	99%	99%
Percentage of cases placed before the Commission and Clemency Board containing no factual errors	98%	99.9%	98%	98%
Number of conditional release/addiction recovery decisions	5,597	6,401	5,597	5,597
Number of revocation determinations	1,400	4,919	1,400	1,400
Number of clemency cases completed	6,000	5,953	6,000	6,000
Number of parole and conditional medical release determinations	1,048	951	1,048	700
Number of victim assists	15,000	13,675	15,000	15,000
Percentage of RCR <i>With a Hearing</i> cases provided to the Clemency Board containing no factual errors	99%	N/A	99%	99%
Percentage of RCR <i>Without a Hearing</i> cases provided to the Clemency Board containing no factual errors	99%	100%	99%	99%
Percentage of parolees who have successfully completed their supervision without revocation within the first three years	90%	97.5%	90%	90%

FLORIDA COMMISSION ON OFFENDER REVIEW

Assessment of Performance For Approved Performance Measures—Exhibit III

Assessment of Performance For Approved Performance Measures—Exhibit III

LRPP Exhibit III (1): PERFORMANCE MEASURE ASSESSMENT

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

Measure: Number of Parole and Conditional Medical Release Determinations

Action:

- Performance Assessment of Outcome Measure
- Performance Assessment of Output Measure
- Adjustment of GAA Performance Standards
- Revision of Measure
- Deletion of Measure

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
1,048	951	97	9%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- Personnel Factors
- Competing Priorities
- Previous Estimate Incorrect
- Staff Capacity
- Level of Training
- Other (Identify)

Explanation: Parole was abolished for most felony offenses in 1983, and for all remaining felony offenses by 1995. The parole eligible inmate population has had no real increase since parole was abolished, but the population has steadily decreased as eligible inmates are paroled, die in prison, or otherwise end or terminate their parole eligible sentences. Parole determinations are made on parole eligible inmates at certain statutorily prescribed intervals. Due to the steadily declining parole eligible inmate population and with no expectation of any increase to the population, the current performance measure requiring the Commission to make a certain number of parole determinations is not compatible with the current and anticipated future parole eligible inmate population.

In 1992, the Florida Legislature created the Conditional Medical Release Program (section 947.149, Florida Statutes), a discretionary release allowing the Commission to release inmates on supervision who are "terminally ill" or "permanently incapacitated" and who are not a danger to themselves or others. The Department of Corrections (Department) is responsible for recommending to the Commission cases to be considered for conditional medical release. Due to the uncertainty of conditional medical release eligible inmate population, the current performance measure requiring the Commission to make a certain number of conditional medical release determinations is not compatible with the anticipated future conditional medical release eligible inmate population.

External Factors (check all that apply):

- Resources Unavailable
- Legal/Legislative Change
- Target Population Change
- This Program/Service Cannot Fix the Problem
- Current Laws Are Working Against the Agency Mission
- Technological Problems
- Natural Disaster
- Other Identify

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

- Training
- Personnel
- Technology
- Other (Identify)

Recommendation:

The Commission is requesting to revise the approved standard from 1,048 to 700 due to the number of parole-eligible inmates consistently declining and the uncertainty of the conditional medical release inmate population.

Assessment of Performance For Approved Performance Measures—Exhibit III

LRPP Exhibit III (2): PERFORMANCE MEASURE ASSESSMENT

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

Measure: Number of Victim Assists

Action:

- Performance Assessment of Outcome Measure Revision of Measure
- Performance Assessment of Output Measure Deletion of Measure
- Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
15,000	13,675	1325	8%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- Personnel Factors Staff Capacity
- Competing Priorities Level of Training
- Previous Estimate Incorrect Other (Identify)

Explanation: The Commission did not meet this performance measure due to Victims' Services losing two full-time positions. This resulted in a reduction of status updates and state attorney notifications. State attorney notifications were only provided if requested.

External Factors (check all that apply):

- Resources Unavailable Technological Problems
- Legal/Legislative Change Natural Disaster
- Target Population Change Other Identify
- This Program/Service Cannot Fix the Problem
- Current Laws Are Working Against the Agency Mission

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

- Training Technology
- Personnel Other (Identify)

Recommendation:

In FY 2023-24, the Commission filled the two full-time positions in Victims' Services and expects to meet the output measure.

Assessment of Performance For Approved Performance Measures—Exhibit III

LRPP Exhibit III (3): PERFORMANCE MEASURE ASSESSMENT

Department: Florida Commission on Offender Review

Program: Adult Prisons

Service/Budget Entity: Post-Incarceration Enforcement and Victims’ Rights

Measure: Number of Clemency Cases Completed

Action:

- Performance Assessment of Outcome Measure Revision of Measure
- Performance Assessment of Output Measure Deletion of Measure
- Adjustment of GAA Performance Standards

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
6,000	5,953	47	.7%

Factors Accounting for the Difference:

Internal Factors (check all that apply):

- Personnel Factors
- Staff Capacity
- Competing Priorities
- Level of Training
- Previous Estimate Incorrect
- Other (Identify)

Explanation: The Commission did not meet this Performance Measure because during FY 2022-23, fewer cases were submitted to the Board and fewer applications were determined ineligible, which resulted in a higher percentage of pending clemency cases that will require a more in-depth investigation and a report submitted to the Board of Executive Clemency. These investigations take a greater amount of time to complete, which reduces the number of cases completed.

External Factors (check all that apply):

- Resources Unavailable
- Technological Problems
- Legal/Legislative Change
- Natural Disaster
- Target Population Change
- Other Identify
- This Program/Service Cannot Fix the Problem
- Current Laws Are Working Against the Agency Mission

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

- Training
- Technology
- Personnel
- Other (Identify)

Recommendation:

In FY 2023-24, the Commission hired 14 new Clemency positions and expects to meet the output measure next year.

FLORIDA COMMISSION ON OFFENDER REVIEW
Performance Measure Validity & Reliability—Exhibit IV

Performance Measure Validity & Reliability—Exhibit IV

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

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

Measure: Percent of parolees who have successfully completed their supervision without revocation within the first three years

Action (check one): N/A

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

Data Sources and Methodology:

Validity:

Reliability:

Performance Measure Validity & Reliability—Exhibit IV

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

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

Measure: Percentage of revocation cases completed within 90 days after final hearing

Action (check one): N/A

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

Data Sources and Methodology:

Validity:

Reliability:

Performance Measure Validity & Reliability—Exhibit IV

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

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

Measure: Percentage of cases placed before the Commission/Clemency Board containing no factual errors

Action (check one): N/A

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

Data Sources and Methodology:

Validity:

Reliability:

Performance Measure Validity & Reliability—Exhibit IV

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

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

Measure: Number of conditional release/addiction recovery cases handled

Action (check one): N/A

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

Data Sources and Methodology:

Validity:

Reliability:

Performance Measure Validity & Reliability—Exhibit IV

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

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

Measure: Number of revocation determinations

Action (check one): N/A

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

Data Sources and Methodology:

Validity:

Reliability:

Performance Measure Validity & Reliability—Exhibit IV

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

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

Measure: Number of clemency cases completed

Action (check one): N/A

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

Data Sources and Methodology:

Validity:

Reliability:

Performance Measure Validity & Reliability—Exhibit IV

LRPP EXHIBIT IV (7): Performance Measure Validity and Reliability

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

Measure: Number of parole and conditional medical release decisions

Action (check one):

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

Data Sources and Methodology:

Parole was abolished for most felony offenses in 1983, and for all remaining felony offenses by 1995. The parole eligible inmate population has had no real increase since parole was abolished, but the population has steadily decreased as eligible inmates are paroled, die in prison, or otherwise end or terminate their parole eligible sentences. Parole determinations are made on parole eligible inmates at certain statutorily prescribed intervals. Due to the steadily declining parole eligible inmate population and with no expectation of any increase to the population, the current performance measure requiring the Commission to make a certain number of parole determinations is not compatible with the current and anticipated future parole eligible inmate population.

In 1992, the Florida Legislature created the Conditional Medical Release Program (section 947.149, Florida Statutes), a discretionary release allowing the Commission to release inmates on supervision who are "terminally ill" or "permanently incapacitated" and who are not a danger to themselves or others. The Department of Corrections (Department) is responsible for recommending to the Commission cases to be considered for conditional medical release. Due to the uncertainty of conditional medical release eligible inmate population, the current performance measure requiring the Commission to make a certain number of conditional medical release determinations is not compatible with the anticipated future conditional medical release eligible inmate population.

The Commission is requesting to revise the approved standard from 1,048 to 700 due to the number of parole-eligible inmates consistently declining and the uncertainty of the conditional medical release inmate population.

Validity:

Reliability:

Performance Measure Validity & Reliability—Exhibit IV

LRPP EXHIBIT IV (8): Performance Measure Validity and Reliability

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

Measure: Number of victim assists

Action (check one): N/A

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

Data Sources and Methodology:

Validity:

Reliability:

Performance Measure Validity & Reliability—Exhibit IV

LRPP EXHIBIT IV (9): Performance Measure Validity and Reliability

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

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

Action (check one): N/A

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

Data Sources and Methodology:

Validity:

Reliability:

Performance Measure Validity & Reliability—Exhibit IV

LRPP EXHIBIT IV (10): Performance Measure Validity and Reliability

Department: Florida Commission on Offender Review

Program: Adult Prisons

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

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

Action (check one): N/A

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

Data Sources and Methodology:

Validity:

Reliability:

FLORIDA COMMISSION ON OFFENDER REVIEW

Associated Activities Contributing To Performance Measure—Exhibit V

Associated Activities Contributing To Performance Measure—Exhibit V

LRPP Exhibit V: Identification of Associated Activities Contributing to Performance Measures			
Measure Number	Approved Performance Measures for FY 2022-2023		Associated Activities Title
1	Percentage of parolees who have successfully completed their supervision without revocation within the first three years		(2) Offender Revocations (4) Parole Determinations (5) Victims' Services
2	Percentage of revocation cases completed within 90 days after final hearing		(2) Offender Revocations (5) Victims' Services
3	Percentage of cases placed before the Commission/Clemency Board containing no factual errors		(1) Conditional Release (2) Offender Revocations (3) Clemency Services (4) Parole Determinations (5) Victims' Services
4	Number of conditional release/addiction recovery decisions		(1) Conditional Release (5) Victims' Services
5	Number of revocation determinations		(2) Offender Revocations (5) Victims' Services
6	Number of clemency cases completed		(3) Clemency Services (5) Victims' Services
7	Number of parole and conditional medical release determinations		(4) Parole Determinations (5) Victims' Services
8	Number of victim assists		(1) Conditional Release (2) Offender Revocations (3) Clemency Services (4) Parole Determinations (5) Victims' Services
9	Percentage of RCR <i>With a Hearing</i> cases provided to the Clemency Board containing no factual errors		(3) Clemency Services (5) Victims' Services
10	Percentage of RCR <i>Without a Hearing</i> cases provided to the Clemency Board containing no factual errors		(3) Clemency Services (5) Victims' Services

Glossary of Terms & Acronyms

Capital Case:

A case in which an inmate has been sentenced to death and the Executive Office of the Governor has requested the Commission review or update a previously conducted clemency interview or to conduct a clemency interview and prepare an in-depth investigation for consideration for commutation of sentence from death to life imprisonment.

Clemency Pending Case:

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

Clemency Investigation:

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

Final Hearing:

A fact-finding quasi-judicial hearing held by the Commission's authorized representatives for the purposes of determining whether a releasee has violated the terms or conditions of their supervision, and, if so, wherein the authorized representatives recommend a disposition to the Commission.

Investigator:

An employee of the Commission responsible for conducting parole, conditional medical release, clemency and revocations investigations, holding revocation hearings, and preparing reports for Commission and Board review.

Releasee:

An offender who has been released to a program of parole, conditional medical release, control release, conditional release, or addiction recovery release supervision.

Restitution:

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