



# FLORIDA PAROLE COMMISSION

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## FLORIDA PAROLE COMMISSION Monthly Accomplishments' Report November 2010

### ~ MONTHLY RCR PENDING CASE UPDATE~

As of November 1, 2010, there were 94,413 pending RCR cases. There were 57,070 application cases and 37,343 EOS/TOS (EOS/expiration of sentence; TOS/termination of supervision) cases.

### ~CHAIRMAN'S UPDATE~

The following is an overview of our additional activities for the month:

On November 1, the Commission kicked off its RCR Initiative to address the pending RCR caseload. The goal of the project is to data enter and screen by June 2011 approximately 48,000 of the 90,000 Restoration of Civil Rights' (RCR) cases currently pending review and eligibility determination in the Office of Clemency Administration, while assuring accuracy at all stages of the process. The first two phases of the plan will be conducted over an eight-month period beginning November 1, 2010, and ending June 2011. A third phase will begin in July 2011.

November 2, General Election Day, the Offices of Executive Clemency and Clemency Administration provided assistance throughout the day and evening. Calls for assistance came from elected officials, including election officials, and private citizens. We remained in the office until and after all the polling places closed and the calls ceased.

On November 9, 2010, several members of the FPC Leadership Team and I met with Cathy Oakley, Intern Coordinator for Florida State University's (FSU) School of Criminology and Criminal Justice. This meeting was held to discuss the Commission's proposal to FSU aimed at attracting multiple interns to work on the Chairman's RCR Initiative (see above) which began November 1 but which interns would be hired for the project beginning in January 2011. This meeting was the by-product of my original meeting with Dean Thomas Blomberg of the School of Criminology and Criminal Justice regarding this important endeavor.

As part of our efforts to encourage greater communication between the Chairman's Office and the staff in each of the Commission's sections/offices, each month I host a "Brown Bag" lunch with a "meet and greet" format. Brown Bag lunches were held with staff from the offices of Communications and Legislative Affairs (November 15) and Legal Affairs (November 30). These lunches afford me the opportunity to get to know our team better.

The week of November 15 was filled with appointments and the arrival of Legislators to Tallahassee. The Legislative Organizational Session was held on November 16 with members being sworn into office and participating in their first Special Session called to override selected gubernatorial vetoes made to the Fiscal Year 2010-11 General Appropriations Act. While at the Capitol that week, I met with Senators Arthenia Joyner and Tony Hill as well as several key Senate and House staff members. Also, the Florida Parole Commission hosted the Department of Corrections' November Re-entry Advisory Council meeting on the 16<sup>th</sup> at Commission headquarters.

Commission hearings for the month of November were held on Wednesday, November 3, and Wednesday, November 17. On November 18, a Thanksgiving Luncheon was held in the Commissioners' Suite with retired Commissioners Ken Simmons, Charles Lawson, and incoming Commissioner Cassandra Jenkins attending and participating.

On November 19, 2010, members of the Commission's Leadership Team and I participated in a Servant-Leadership follow-up training session facilitated by Dr. Evelyn Ploumis-Devick of the Department of Corrections.

November 20 – 22, I traveled to Tampa to participate as a member of the Florida Supreme Court's Innocence Commission and returned to Tallahassee on Tuesday, November 22.

## COMMISSION SECTION ACCOMPLISHMENTS

**Administration:** Completed monthly and annual financial projections; drafted and submitted the Administration annual report; processed Request to Travel forms; submitted request for budget authority to move funds within our budget; provided information to OPS employees on alternate retirement plan; attended Personnel officer, Purchasing Director, and Director of Administration meetings; coordinated FPC IT issues with DC; submitted programming request to DC IT; attended the FLAIR Statewide Vender File Meeting; submitted maintenance requests; attended the quarterly IAC meeting; responded to DFS regarding prompt payments; provided numbers to respond to Senate questions; submitted RCR numbers to the Governor's office; made preparations for new commissioner; registered with the Central Contractor System; submitted FPC response to OPS extensions; attended training on the Florida Single Audit Act; responded to the Federal Funding Accountability and Transparency Act request; assisted with updating legislative proposals; prepared financial documents for the Chairman's office; prepared response for the Lease office space EOG memorandum; and submitted and processed numerous purchases and payments for the agency.

**Clemency Administration:** Worked steadily on processing all types of clemency cases; conducting quality assurance RCR reviews; working with DC OIT on developing enhancements to MACNet; making preparations for the December 9, 2010 Clemency Board Meeting; handled a significant increase in phone calls on Election Day, November 2, 2010, and answered telephone lines up until

8pm to assist individuals with questions about whether their civil rights had been restored, where they are in the process, etc. On November 9, along with the Chairman and several members of the FPC Leadership Team, met with Cathy Oakley, Intern Coordinator, FSU School of Criminology and Criminal Justice. Assisted in formulating a proposal to FSU to attract multiple interns to work on a project for RCR beginning in January 2011; on November 16, 2010, the Director of Clemency Administration attended the Reentry Advisory Council Meeting with the Chairman; on November 19, 2010, the Director of Clemency Administration participated in Chairman Pate's Servant-Leadership follow-up training/meeting facilitated by Dr. Evelyn Ploumis-Devick; throughout the month of November, the Office of Clemency Administration has assisted the clemency aides to the Governor and Cabinet in an unusually large amount of requests for information pertaining to the status of investigations on clemency applicants, and has worked with the field offices in preparing cases for the December 9, 2010 Clemency Board Meeting; the Director of Clemency Administration has contributed in providing information pertaining to the Office of Clemency Administration for the Commission's Annual Report; and the Director of Clemency Administration has worked with the Office of Executive Clemency Coordinator in preparing training documents for the new Legislative Aide transition, which will include a power point and at-a-glance information sheets regarding the clemency process and guidelines for the aides to assist their constituents.

**Communications and Legislative Affairs:** Fielded phone calls and media requests for 11/3 and 11/17 Commission Hearings; drafted and edited documents for Chairman's Office as requested; preparing 160 letters to legislators for Chairman's signature; met with legislators and key legislative staff during Legislative Organization Week; worked with Governor's press office on several media responses; responded to inquiries from the news media, public, and legislators; working with Governor's Office and clemency staff in preparation for the December 9, 2010, Clemency Board Meeting; working with Governor's Press Office in preparation for handling news media for December 9, 2010, Clemency Board meeting; preparing Commission Annual Report for submission to the Governor, Senate President, and Speaker of the House in December.

**Executive Clemency:** Preparing training documents for the new Legislative Aide transition, which will include a power point and at-a-glance information sheets regarding the clemency process and guidelines for the aides to assist their constituents; adding a new clemency data base feature; testing a more efficient process for entering data from online applications and there is still a review of the information before assigning it a permanent Executive Clemency number; staff responsible for the preparation and tracking of Executive Orders circulating through the Governor and Cabinet prepared a visual chart where anyone in the office can readily locate which Cabinet member has a specific Executive Order; reassigned staff to begin working on the November 1<sup>st</sup> initiative to enter a backlog of applications received online and through the mail; received an estimated total of 906 calls the week of the November 2<sup>nd</sup> election with 385 calls coming in on Election Day; five staff members worked until 8:00 p.m. assisting callers; received a total of, **2,441 calls** during the month of November, while processing **2,058 additional RCR Level 1** cases under the new project.

**Legal:** For November, two interesting orders from the court are as follows: In the first case, Phillips v. FPC, the Court went through, in detail, each of the inmate's challenges to his PPRD. The Court upheld the salient factor score, disregarding the inmate's argument that his prior convictions were uncounseled, and it upheld the aggravations for multiple convictions, use of a firearm, risk to a child bystander, and history of substance abuse. Finally, the court wrapped up by confirming that the Commission is not bound to the examiner's recommended PPRD and upholding the five year set-off of the next subsequent interview.

The second case is interesting because the Commission was not a party to the action, but the court sought a supplemental response from us to address if the inmate would have been eligible for parole if resentenced outside of the guidelines on one of his old convictions. The Commission had previously paroled Mr. Williams on his parole-eligible sentence to his parole-ineligible sentence. The Court ultimately concluded that the inmate should have an opportunity for resentencing, and the case was remanded back to the trial court for that resentencing on his original criminal conviction.

**Operations:** Monthly interviews and hearings conducted: **Parole Interviews, 80; Revocations Interviews, 266; Hearings, 69; Total - 415 interviews and hearings** during the month. During the month of November, seven inmates were granted parole.