



# FLORIDA PAROLE COMMISSION

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## FLORIDA PAROLE COMMISSION Monthly Accomplishments' Report September 2010

### ~ MONTHLY RCR PENDING CASE UPDATE~

As of September 1, 2010, there were 86,912 pending RCR cases. There were 39,776 application cases and 47,136 EOS/TOS (eos/expiration of sentence; tos/termination of supervision) cases.

### ~CHAIRMAN'S UPDATE~

The month of September was a busy month for the Florida Parole Commission. The Leadership Team and Commission employees pushed forward on several proposals and initiatives, held and attended hearings and meetings, and met a variety of reporting deadlines both with the Governor's Office and the Florida Legislature. The following is an overview of our activities for the month.

On September 1, 2010, the Florida Parole Commission held its first **official hearing** in its new Central Headquarters at the Southwood Office Center. The Commission **also** held **hearings** on September 15 and September 22, with a total of **1, 120** cases being considered by the Commission for the month. On September 9, the Commission held its second and final **Business Meeting** for 2010 (see below for more details). Additionally, the Commission prepared cases and provided administrative, investigative, and victim's advocate support for the September 23, 2010, **Clemency Board hearing**.

On Sunday, September 12, I traveled to Miami for a weeklong visit to all of the Commission's field offices. I met with the Commission's field office staff beginning with Miami on Monday, September 13; the Tampa Regional Office, September 14; Ocala, September 15; Jacksonville, September 16; and ending with the Quincy Regional Office on Friday, September 17. Throughout the week, Certificates of Service were presented at each office to those attaining a minimum of five years of service with the Commission. While traveling to the Field Offices, I met with Dr. Regina Shearn of the Florida International University's Corrections Transition Program at Everglades Correctional Institution. On Thursday, September 16, while in Jacksonville, I met with Angela Corey, State Attorney, for the Fourth Judicial Circuit, at her offices. This same week, I met with the following legislators in their respective district offices: State Representative Daryl Rouson, D-St. Petersburg, current ranking minority member of the House Criminal and Civil Justice Appropriations Committee; State Senator Dennis Jones, R-St. Petersburg, member, Senate Criminal and Civil Justice Appropriations Committee; State Representative Ed Hooper, R-Clearwater, Vice Chairman, House Public Safety and Domestic Security Committee; State Representative Mike Weinstein, member, House Public Safety and Domestic Security Committee and prime sponsor of HB 23, 2010 Session, Parole for Juveniles, the "Second

Chance Act”; and State Senator Steve Wise, co-sponsor of Chapter No. 2010- 92, Laws of Florida, the Sex Offender/Predator legislation. This time in the field was very beneficial for the Commission on several levels.

The Commission held its semi-annual Business Meeting on Thursday, September 9, 2010, with staff presenting reports of the Commission’s work for the months of January through June 2010. Representatives from the Sumter Institution’s “Lifer’s” Program made a presentation to the Commission and extended an invitation to Commissioners to visit and view their program firsthand. During the meeting, the Commission’s Office Relocation Team which consisted of Jack deRemer and Gina Giacomo, Project Managers, and Will Kendrick, Assistant Project Manager, were recognized and praised for their outstanding efforts on achieving the Commission’s successful relocation. Jane Tillman, Communications and Legislative Affairs Director, and Karen Huff, Budget and Accounting Administrator, were also recognized for their contributions as part of the Move Team. *Plans were announced for an Open House to be held on Thursday, October 21, 2010, from 2:00 p.m. to 4:00 p.m. with a brief recognition ceremony at 2:45 p.m. This event is to recognize all those who greatly assisted the Commission in its move. Invitations will be mailed and e-mailed the week of October 4.*

Other activities included attending the Department of Correction’s Re-entry Advisory Council in Tampa on September 27, and attending the organizational meeting of the Florida Innocence Commission on September 10, both of which I am a member. Additionally, I am currently in discussions with program experts at the Department of Children and Family Services seeking to resolve the Commission’s mental health evaluation/risk assessment report issue in lieu of legislative assistance, although at present, this is included in our legislative proposals. We continue to look at creative solutions to addressing the RCR pending cases, and finally, a Correspondence Tracking System was implemented for mail received by the Chairman’s Office. Mail requiring a response referenced letters of support for inmates, inmates asking for hearings, and general letters regarding proposed release plans. The Correspondence Tracking Report is available upon request. Finally, right in the middle of all of this hard work, a good number of FPC’s Central Office employees met at a local bowling alley on a Saturday afternoon and had some fun together. This was a wonderful opportunity for all to socialize and build relations.

## COMMISSION SECTION ACCOMPLISHMENTS

**Administration:** Conducted FPC Inventory of items over \$1000; attended Personnel Benefits meetings and fairs; drafted and distributed CO Maintenance and Key Procedures; drafted and submitted FPC Bonus Plan required by statute; attended Personnel officer, Purchasing Director, and Director of Administration meetings; coordinated FPC IT issues with DC; submitted programming request to DC IT to both websites and databases; received training on DMS web-based maintenance system and submitted maintenance request to DMS; collected and returned the keys from 2601 Blair Stone to DC; submitted RCR numbers to the Governors office; provided Open Enrollment information to all FPC employees; drafted and distributed CO Mail Procedures; assisted with drafting the LRPP ( provided

numbers, conducted reviews of document, created LAS/PBS documents); assisted with drafting the RCR Proviso Report (provided numbers, conducted reviews of document); researched information for Internship program; researched information for Employee Recognition program; and attended Unit Cost and Fiscal Portal training.

**Clemency Administration:** Assisted with drafting the LRPP (provided numbers, conducted reviews of document); assisted with drafting the RCR Proviso Report due to the Legislature October 1 (provided numbers, conducted reviews of document); continued to work to work steadily on all clemency cases, including quality assurance RCR reviews; director attended the Re-Entry Advisory Council meeting with Chairman Pate; and on September 23, 2010, the Commission presented 81 clemency cases for the Board's consideration at the 3rd quarterly Clemency Board Meeting.

**Communications and Legislative Affairs:** Drafted the FY 2009-10 Proviso Report due 10/1 to the Legislature; fielded Phone Calls & Media Requests for 9/1, 9/15, & 9/22 Commission Hearings; drafted the Long Range Program Plan due to OPB & the Legislature 9/30; initiated the nomination for a FPC 2010 Davis Productivity Team Award; coordinated the response to 5 Questionnaires & and Surveys; coordinated & Scheduled Legislative Appointments for Chairman Week of September 12 – 17; prepared Briefing Packets for each legislative appointment; prepared and presented OCL Business Report at September 9, FPC Business Meeting; worked with the Governor's Legal Office on Public Records' Request issues; e-mailed Public Agendas to Media for the 9/23/10 Clemency Board Meeting; drafted Open House invitation for 10-21 event; compiling Invitation Guest List for 10-21 event; drafting and edited documents for Chairman's Office; and provided RCR information to the Governor's Office, the media, and legislative offices.

**Executive Clemency:** Assisted with drafting the RCR Proviso Report due to the Legislature October 1 (provided numbers, conducted reviews of document); prepared and executed a successful clemency hearing on 9/23; and received a high volume of calls relating to RCR due to upcoming elections. \*Anticipating calls to increase in October prior to the voter registration books closing.

**Legal:** Responded to public records requests from the Miami State Attorney and Public Defender Offices on information to be used at a death penalty sentencing hearing for Ana Cardona; and attended several meetings including the Clemency Board meeting last week.

A sampling of Orders received in September were:

Thorne v. FPC: Inmate filed a § 1983 claim (a claim which argues a violation of civil rights) challenging the calculation of his PPRD. The Court dismissed the case for a variety of reasons, not the least of which is that the inmate failed to state a claim on which relief may be granted.

Dixon v. FPC: The challenge to the revocation of parole was dismissed as an abuse of the writ process since the inmate already challenged the revocation in court before and the calculation of his

PPRD after revocation was denied as without merit. The Court reaffirmed that the Commission may rely on “old” information.

Deal v. FPC: The Court dismissed the inmate’s challenge to calculation of his conditional release supervision period since the inmate was no longer incarcerated or on conditional release supervision.

Golden v. FPC: In this case, the inmate challenged the initial establishment of her PPRD; specifically she argued that the salient factor score and aggravators were incorrect. The Commission corrected the salient factor score, based on the Rodriguez case and the court found the rest of the score to be correct. The Court also concluded that the aggravators were correct and supported by the record.

Bryant v. FPC: The inmate in this case challenged the Commission denial of his MPP. The Court upheld this denial finding that the Commission performed the duties with regards to MPP that it was required to do.

Jenkins v. FPC: The Court dismissed the inmate’s challenge to the PPRD established 13 years ago as time-barred under Florida’s statute of limitations.

**Operations:** The first Commission hearing in the new facility was held on September 1. Staff assigned to cover the hearings was significantly increased to ensure a smooth process and to accommodate visitors attending the unusually large docket for this date; there were 45 cases with visitors present; the check-in process for screening visitors before entry to the hearing room, seating adjustments, and a check of technical equipment were carefully reviewed prior to the meeting. During the month of September, four inmates were granted Conditional Medical Release; three inmates were granted Parole; and one inmate was paroled to begin serving a guideline sentence.

- The number of monthly field interviews and hearings conducted were:

Parole Interviews	84
Revocations Interviews	249
Hearings	63
Total:	396 interviews and hearings during the month.