



FLORIDA PAROLE COMMISSION

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Commissioner/Vice-Chair

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Commissioner/Secretary

FLORIDA PAROLE COMMISSION Monthly Accomplishments' Report March and April 2012

~CHAIR'S MESSAGE

Tena M. Pate

The 2012 Legislative Session was a successful one for the Florida Parole Commission. With bipartisan support on its issues, the Commission secured additional funding for its victims' services section (1 FTE), and \$350,000 in OPS recurring general revenue funds through 2016, to address the pending Clemency cases, specifically RCR *Without a Hearing* cases. While the extended interview bill did not make it to a floor vote in the Senate, we have high hopes for its passage in the 2013 Legislative Session as this is a very important victim and public safety bill, and does not compromise the legal rights or remedies of the convicted.

Commission employees have been involved in various activities over the past couple of months including receiving training on electronic monitoring devices by the Department of Corrections and conducting training for other agencies on the Commission's victims' services and parole processes. As agency head, I have participated in a number of these events as well as attended meetings of the Florida Innocence Commission, the Attorney General's Domestic Violence Fatality Review Team, and a joint meeting of the Attorney General's Domestic Violence Fatality Review Team and the Department of Health's Child Abuse Death Review Team. While in Tampa, I visited with State Representative Betty Reed and Tony Parker of the Noah Community Outreach Program, a transition program for offenders re-entering society. I was invited to speak at the annual 2012 *Women in Criminal Justice* Conference in Texas and also spoke at the Florida Department of Corrections' observance of Women's History Month. Additionally, the Association of Paroling Authorities International (APAI) recently requested I serve as chair of the Victims' Committee, a position I am honored to serve. I was also able to attend the Law Enforcement Memorial Ceremony held at our state's Capitol.

In other news, the Commission is putting the finishing touches on the upcoming Association of Paroling Authorities International Annual Conference to be held in Orlando, May 20-23. Finally, with Commissioner David's term ending in June 2012, appointments to the Parole Qualifications Committee have been named and applications are being accepted and reviewed.

In closing, I would like to continue to express my thanks to our dedicated employees. Without them, none of the things we strive to accomplish each and every day would ever come to be. You are simply amazing!

COMMISSION SECTION ACCOMPLISHMENTS

OPERATIONS

Jack deRemer, Director

- Preparations continue for the 2012 Association of Paroling Authorities International (APAI) conference, which will be hosted by the Florida Parole Commission in May, 2012, in Orlando. The program is being finalized, travel plans have been made, and audio visual requirements are being addressed.
- The Field offices began working on an OPS RCR Project commencing March 1, 2012.
- In our Central Office, OMCII Kim Dickey began her new assignment as the Supervisor of the Revocations Section, and OMCII Shana Lasseter began her new assignment as the Supervisor of the Release Services Section.
- Final Preparations have begun for holding Parole Commission Hearings in Broward County on June 13 and 14, 2012. We have secured the Ft. Lauderdale City Commission Chambers for our two-day hearings. This site was visited by the Director of Operations on April 6, 2012 and final arrangements were made with the City of Fort Lauderdale
- The Electronic Inmate Files' project continues. This project has undergone several configurations since its inception and is now in two distinct phases. In phase one we are developing an improved electronic data delivery system for the Commissioners to assist them in conducting our hearings. In phase two we will be developing an electronic system for in-depth case review. We are exploring some innovative methods of accomplishing phase one, working in close conjunction with DC OIT, who provides our network services. Extensive research is involved to insure our full compliance with NCIC/FCIC security requirements, and thus far no insurmountable obstacles have been encountered or identified.
- On March 9, 2011, DC office of Community Corrections gave FPC staff a demonstration of their current offender electronic monitoring system (EMS). This demonstration was very informative and well-received; as FPC Revocations staff frequently reviews the reports generated by this system and must make decisions based upon these EMS reports. We have been engaged in ongoing negotiations with DC regarding our remaining at HCI until the new Region V office is ready in Tampa. DC has been extremely helpful and cooperative during this time.

- Using existing staff, we have had to pick up 50% (20 hours per week) of the receptionist duties in the lobby of our building. DC was providing all 40 hours; however they cut back to 20 hours when they vacated the second floor of the 4070 building in March, 2012.
- Monthly totals for Imaging Inmate Records (IRIS)

Completed Documents	March 2012	April 2012
	17,699	8,146

Release Services:

Cases Docketed:

	March	April
Parole	108	184
Conditional Medical	5	5
Conditional Release	541	591
Addiction Recovery	110	138
TOTALS	764	918

Month	Paroles		Conditional Medical Release	
	Granted	Denied	Granted	Denied
March	3	2	1	4
April	6	1	2	2

During March, 2012, the Commission granted 3 paroles and declined 2. The Commission also terminated 2 parolees from supervision. There was 1 conditional medical release granted and 4 denied.

During April, 2012, the Commission granted 6 paroles and declined 1. The Commission also terminated 6 parolees from supervision. There were 2 conditional medical releases granted and 2 denied.

Revocations:

Statistics:

	March	April
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Warrants Issued	159	162
Cases Reviewed and Prepared for Docket	146	158

**** Sample includes Parole, Conditional Release, Addiction Recovery Release, and Control Release cases ****

Activities

Supervisor Kim Dickey, along with Chair Pate, Gina Giacomo, and Shana Lasseter, attended Smart Watch – Faith, Food Friday – Forum: Does Religion Contribute to the Common Good? *With special guest Byron Johnson, author of “More God, Less Crime.”* Discussions from the panel included the importance of faith and Christianity and faith-based programs inside the jails and prisons for successful re-entry.

The Revocations Supervisor and the Revocation Specialists attended a demonstration from the Department of Corrections on Electronic Monitoring (EM). Brian Futch and Tom Seaman demonstrated how the different types of EM devices operated and explained the protocol and practices.

CASES OF INTEREST

Case 1: Offender Ronnie Brown, DC#117014, was released on conditional release supervision on May 10, 2011. On April 1, 2012, he was arrested for committing murder, in Jacksonville, Florida. The offender's next court date is May 2, 2012. He was due to terminate his conditional release supervision on April 17, 2012. Brown was on supervision for his convictions of Battery on Law Enforcement Officer and Resisting Officer with Violence. He also had prior commitments for Grand Theft, Uttering/Forgery and Fraud Check.

Case 2: Cecil Hurley, DC#144874, is a sex offender who was released on conditional release December 3, 2011, to remain under supervision until July 9, 2012. The offender is in violation of cutting his EM (electronic monitoring) strap. He has also been charged with bank robbery, in the Tampa area. He has waived his final hearing and is scheduled for the June 6, 2012 Commission docket. **NOTE:** The offender was released on supervision for the following convictions: Robbery, Grand Theft, Criminal Mischief/Property Damage and Traffic in Stolen Property. The Lewd Assault/Sex Battery on a 14-year old victim was his prior commitment.

Activities:

Supervisor Kim Dickey, along with Revocations Specialists Sandra Rozier, Billie Zetrouer, Cathy Floyd and Megan Higgins and Release Services participated in Cauty (NcNeil v. Cauty) training conducted by Gary Soloman from the Department of Corrections, Bureau of Sentence Structure. The training provided methods of calculating the conditional release supervision maximum supervision dates.

EAgent TAC: Cathy Floyd and Megan Higgins attended TAC training with FDLE.

Victims' Services:

	March 2012	April 2012
Victims' requests for information on parole, conditional release, and conditional medical cases	308	343
Victims Located	49	65
Status updates to victims on parole, conditional medical and clemency cases	771	390
Assisted victims who attended parole or clemency hearings.	25	53

During March and April, Victims' Services has been extremely busy since we had a clemency hearing in March. During this period we handled 651 victims' requests for information on parole, clemency, conditional medical and conditional release cases. In addition, we located and made initial contact with 114 victims on parole and clemency cases. We did 1161 status updates on parole and clemency cases by giving early notice of hearings and by letting victims know the outcome immediately after the hearings by telephone or e-mail. We assisted 78 victims who attended parole and clemency hearings.

One reason for the extreme number of status updates was an outpouring of interest from the law enforcement community regarding several cases of offenders who have parole hearings upcoming and who were responsible for the murder of law enforcement officers.

In April the Parole Commission had a table in the Capitol at the Victims' Rights Expo during Victims' Rights Week and Clemency Victims' Advocate Dawn Mikola attended the awards ceremony.

Field Services:

Field Services' Statewide Activity Totals

	March 2012	April 2012
Monthly Interviews and Hearings Conducted:		
Parole Interviews	87	89
Revocation Interviews	267	208
Revocation Hearings	57	46
Total Interviews and Hearings for the Month	411	343

Region I:

- Examiner Russ Gallogly participated in a re-entry seminar at Santa Rosa CI on March 14, 2012.
- Russ Gallogly was re-certified in NCIC/FCIC during the month of March.
- Regional Administrator Tom Hamilton and Parole Examiner Russ Gallogly attended a demonstration on Electronic Monitoring at Central Office on March 8, 2012.
- Examiner Matthew Braxton participated in the Special Olympics Law Enforcement Torch Run in Walton County on March 29, 2012.
- Regional Administrator Hamilton and Examiners Sloan and Simmons participated in a fundraiser luncheon for the Special Olympics on April 11, 2012 at Santa Rosa CI.

Region II:

- The interviews for the vacant Parole Examiner position from when Examiner Karel Yedlicka retired on February 29, 2012 were conducted on March 29 and March 30.
- All of the Performance Planning and Evaluation forms were completed for the entire Region.
- Kara McGraw has been hired to fill the vacant Parole Examiner position in Jacksonville and will begin on May 4, 2012.

Region III

- The position of parole examiner was advertised for the upcoming vacancy in the Cocoa Field Office.
- Felix Ruiz attended the monthly Lifers Program meeting at Sumter Correctional Institution.
- Terry Turner and Dale Nichols both renewed their membership in FCCD.
- Felix Ruiz, as a member of the Knights of Columbus, participated in a fund raising dinner and auction for the St. Joan of Arc Church in Spring Hill.

Region IV:

- On February 27 and 28, 2012, Director of Operations, Jack deRemer, visited Region IV. Since his last visit to our area all of Region IV's offices have relocated so he toured our new offices in Miami, Lauderdale Lakes and Stuart. He also provided staff with updates on the legislative session and discussed general Central Office and FPC news.
- Sandra Pimental received her FCIC/NCIC re-certification on March 21, 2012.
- Vana Cripps received her FCIC/NCIC certification on March 23, 2012
- The Miami Office will participate along with Probation Nation in collecting toiletries and cell phones to donate on March 30th to various local Domestic Violence Organizations.
- Sandra Pimental has been actively researching locations and accommodations for the upcoming Broward Parole Hearings, which will be held on June 13-14, 2012. The search has become hampered by the summer schedule and previous commitments for most of the municipal facilities that have been contacted. The Ft. Lauderdale City Commission chambers have been offered and we are now in final negotiations with them to use their Commission chambers.
- Jayne Hayden and other alumnus from the FBI Miami Citizen's Academy 2011 Fall Class participated in a trip to Washington DC, during the week of March 19 thru 23, 2012. The trip included a tour of FBI Headquarters, Quantico, Virginia, and the Nation's Capitol.
- In April Parole Examiner Sandra Pimental of the Lauderdale Lakes Office finalized arrangement for the Parole Commission's June 13-14 Commission Hearings. These hearings will be held at the Ft. Lauderdale City Commission Chambers. Sandy worked meticulously on locating a suitable facility and finalizing the arrangements. Congratulations to Sandy and most of all thanks for a job very well done.
- Jennifer (Jenn) Stichter, Parole Examiner, Stuart Office, resigned effective April 11, 2012. Jenn was employed with the Commission for approximately four (4) years and she will be greatly missed. She was always willing to assist with any task to ensure the office operated at its full capacity. Even though we are sad to see her go, we all wish her and her family the best.
- As a result of Jennifer's resignation, the Stuart Office has a vacant Parole Examiner position. The position was posted on April 4, 2012 and closed April 15, 2012.

Interviews will be scheduled in the near future and it is anticipated the position will be filled shortly thereafter.

- Jayne Hayden, as an FBI Citizen's Academy Alumni, attended a special 2 hour speaker's engagement. The speaker was FBI Special Agent George Piro, who conducted the 7 month interview of Saddam Hussein, subsequently leading to his trial and execution.

Region V:

- Cathy Aylstock attended the Polk County *Hope Now* Faith-Based Residential Transition Program and Graduation in February.
- All Region V examiners are being cross-trained in Revocations, Institution Work, PPI's, Victim Location Investigations, and Restitution to prepare to substitute for coworkers on leave in the interest of work completion and timeliness. All have had clemency training.
- Interviews were conducted on March 22nd for the Parole Examiner Supervisor position.
- Kip Astrom will be assisting in this year's *Showcase of Services* sponsored by PERC which is scheduled to take place October 19, 2012.
- Rachel Anderson, daughter of examiner Pam Carwise, represented her school's 1st Grade Class in Charlotte County in an area Spelling Bee Contest and placed 2nd.
- Region V staff participated in a staff team building exercise after their April 12 staff meeting and enjoyed a lunch prepared by staff members.
- Region V staff is collecting box tops for education to be donated to a local school.
- With Region V – Tampa's upcoming move, staff has been hard at work packing and moving files to storage at Polk CI. Staff has also begun packing current files and supplies in preparation to move to our new offices.
- Region V will participate in "Take Your Child to Work Day" on April 26, 2012. Joining us will be Lindsay Harris, daughter of Jerry Harris.
- Lori Pille has been named as the next Parole Examiner Supervisor in Region V filling Helen's old position. Congratulations on your promotion effective May 1st.

ADMINISTRATION
Gina Giacomo, Director

- Attended the CHP Retirees Advantage plan training
- Had a representative from State Securities Corporation, Pre Paid Legal services, and from Poppell Financial Group provide information to staff.
- Revision the FPC P-card procedure directive.
- Attending FACTS training the new State of Florida contracting database, and entered all of FPC contract and agreements into the new FACT system as required. .
- Submitted the My Florida market place and Office Staples survey to DMS.
- Answer numerous questions and provided documents to AG Auditors.
- Completed the Procurement Process Improvement Project third survey.
- Attended workshops on Florida accountability Contract Tracking System.
- Provided staff with safety tips as agency safety coordinators.
- Completed the client agreement with DMS for renovation on the Trammel Building for the Tampa office.
- Submitted to OPB the request for the Commission to have a fifth budget activity of victims.
- Participated in the work group for automating the Commissioner's docket and electronic files.
- Worked on preparations for the APAI conference.
- Completed and HR processed all employee evaluations.
- Attended 2 day retirement training.
- Had a representative from ING provide information to staff on deferred compensation.
- Submitted the Agency's Building Data for risk management.

COMMUNICATIONS AND LEGISLATIVE AFFAIRS
Jane Tillman, Director

The Office of Communications and Legislative Affairs, in the course of its daily operations, accomplished the following in the months of March 2012 and April 2012.

Communications and Legislative Affairs:

- The Director and Chair met with the Chief of Staff, Senate President's Office, legislators and committee staff on CS/CS/HB 329 and CS/SB 506, which failed to pass the 2012 Regular Session. The Commission will be seeking sponsors for the proposal for the 2013 Session.

- The Director, together with the Chair and the Director of Administration, met with legislators and committee staff during budget conferences at night and on weekends with the Commission successfully receiving a 5% increase for FY 2012-13 over its current fiscal year budget. This includes \$427,000 in OPS recurring general revenue, of which \$350,000 is to help in reducing the RCR clemency backlog, and a new position for the Victims' Services section. Also, the requirement to provide an October 1 annual report to the Legislature on the status of RCR clemency cases was removed from the budget proviso language and eliminated.
- The Director worked with Commissioner Cohen's staff and the Governor's Legislative Affairs Office, Secretary of State's LAD, FDLE investigative staff, and the staff of Senate Ethics and Elections to expedite the Senate confirmation hearings for Commissioner Cohen. With the invaluable assistance of Jon Costello, Angela Peterson, Rob Jakubik, and Brenda Burdette, this goal was accomplished and Cohen confirmation was reported favorably from the two committees of referral. After the Senate failed to act on his confirmation in the 2012 Regular Session, Commissioner Cohen was reappointed by Governor Scott and members of the Cabinet Tuesday, March 20. He will face confirmation hearings again in the 2013 Regular Legislative Session. Chair Pate's confirmation was voted favorably by the Florida Senate.
- The Director provided the Governor's Office with a final report of the Commission's 2012 Regular Legislative Session outcomes earlier in the month.
- The Director participated with other Commission staff in preparing for the March 22 Clemency Board meeting by providing agendas and other information to the news media as well as the hearing results on specified individuals seeking clemency.
- The Director submitted a draft APAI Communications' Project Plan to the CEO of APAI and Kentucky Parole Board member Caroline Mudd for their approval.
- Prepared multiple outlines and working drafts for programs and speeches for the Chair and other Commissioners;
- Worked with Legislative Staff and Legislators on Constituent Issues;
- Preparing draft of July 2012 RCR/Clemency Report for review by Clemency Staff and Chair Pate;
- Preparing letters of invitation to members of the Broward, Palm Beach, and Dade County legislative delegations to attend and observe the June 13-14 Parole Commission Hearings to be held in Broward County on those dates;
- Beginning to pull together ideas for discussion with the Chair and staff for possible inclusion in the 2013 Commission's Legislative Agency Proposals;
- Coordinated and planned several future RCR Outreach activities on behalf of the Commission and at the request of Legislators;
- The Director and assistant Tammy Salmon conducted a conference call with members of the APAI Communications' Committee on April 19 and discussed and reviewed a Project Plan with the members. Sonja DeFrieze, Communications Director for the New Zealand Pardon and Parole Board, was selected as Vice Chair by Chair Tillman. Plans were discussed to hold a second meeting at the APAI Conference. On May 23, Jane Tillman will present a report to the Executive Committee on the Communication's Committee's 2-year plan to

revamp and update all communication efforts for the Conference including redesigning the website and changing its website content; developing media guides; rebranding publications; and setting standards for articles and other written documents to be published or distributed under the umbrella of APAI.

- Working with the Chair and senior staff on the May 20-23 APAI Conference.

CLEMENCY INVESTIGATIONS

Steve Hebert, Director

MONTHLY CLEMENCY PENDING CASE UPDATE

As of May 1, 2012, there were 29,532 pending clemency cases which include 22,958 RCR cases and 6,574 non-RCR clemency cases such as Full Pardon, Specific Authority to Own, Possess or Use Firearms, Remission of Fines, Commutation of Sentence and Request for Review.

	March 1, 2012	April 1, 2012	May 1, 2012	Change
RCR Without a Hearing Cases	14,059	13,723	12,712	-10.60%
RCR With a Hearing Cases	10,485	10,344	10,246	-2.33%
Total	24,544	24,067	22,958	-6.91%

NOTE: In addition to the 29,532 pending clemency cases, there were also 19,217 EOS/TOS RCR cases for a total of 48,749 pending clemency cases. These EOS/TOS cases are known to be ineligible since they do not meet the RCR eligibility requirements of either the 5 or 7 year waiting period of the amended Rules. However, there is still a workload component involved in processing these cases as ineligible in our clemency database which will include data entry and generation of letters to be mailed to all individuals.

Highlights / Accomplishments for the months of March and April 2012 for the Office of Clemency Investigations:

- The Governor and Cabinet, sitting collectively as the Clemency Board, held its first quarterly Clemency Board Meeting at the Capitol on March 22, 2012. The Commission completed and submitted 83 in-depth clemency investigations for Full Pardons, Firearm Authority and Restoration of Civil Rights for consideration by the Board. The Coordinator of the Office of Executive Clemency presented the cases to the Board, and the Chair provided detailed information related to the Confidential Case Analyses and processes to the Board Members in response to their inquiries.
- This past month the Commission researched the specific reasons why applicants requested restoration of their civil rights. We reviewed the 63 Restoration of Civil Rights cases heard at the March 22, 2012 Clemency Board Meeting. Several applicants indicated multiple

reasons in their statements to our examiners, and the following information is a brief summary of what their statements revealed:

- 65% of the applicants specifically indicated that they were interested in regaining their right to vote, sit on a jury or hold public office.
 - 30% of the applicants specifically indicated that they were interested in obtaining their civil rights to help them with employment, ranging from specific licenses or occupations to general job opportunities.
 - 19% of the applicants did not provide any specific reason for requesting their civil rights.
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- In addition, 11% of the applicant's seeking restoration of their civil rights at the March 22, 2012 Clemency Board Meeting had voted in past elections without having their rights restored.
 - Restoration of Civil Rights (RCR) "EOS/TOS" cases are those cases of individuals expiring their sentences (EOS) or terminating their supervision (TOS), which were sent electronically each month, by the Department of Corrections to the Commission, prior to the March 9, 2011, amended Rules of Executive Clemency. During the months of March and April, approximately 20,000 letters have been generated and mailed to these individuals advising them of the eligibility criteria under the amended Rules.
 - Staff has continued to review all RCR cases for eligibility prior to sending them out to field offices for in-depth field investigations to be conducted; conduct Request for Review investigations for commutation of sentence applications; and provide quality assurance reviews of all clemency investigations completed by regional field offices.
 - On April 27, 2012, the Director of Clemency Investigations provided training to the Regional Administrators and Supervisors during a conference call to include procedures related to clemency investigations and the Rules of Executive Clemency.
 - Staff has continued to review all RCR cases for eligibility prior to sending them out to field offices for in-depth field investigations to be conducted; conduct Request for Review investigations for commutation of sentence applications; and provide quality assurance reviews of all clemency investigations completed by regional field offices.
 - On April 6, 2012, the Office of Clemency Investigations welcomed Chad Wilson as he was hired as a part-time OPS Parole Examiner position to conduct eligibility investigations on Restoration of Civil Rights cases.

EXECUTIVE CLEMENCY
Julia McCall, Clemency Coordinator

On March 19th we welcomed three new employees to the Office of Executive Clemency: Phoebe Alexis Rentz, who filled a vacant staff assistant position, and also Jamil Jefferson and Kristen Rosenberger as OPS Civil Rights Specialists. The trio spent the first few weeks learning the various databases and familiarizing themselves with the clemency process. Jamil and Kristen will work primarily as screeners for RCR Without a Hearing cases to help eliminate the backlog. Phoebe will also screen and be cross-trained to assist with other specialty assignments. We are optimistic that these new staff members will be successful in moving cases forward to the investigations stage of the clemency process.

On March 22nd, the first clemency hearing was held for 2012. Staff now performs the post-hearing process of notifying the applicants who did not attend the hearing with the Board's actions.

LEGAL
Sarah Rumph, General Counsel

Here is what we have had come through legal since the last report:

CASES:

We have been fortunate this past month to have a majority of cases dismissed from the courts, with very little written opinion. However we did have two interesting cases that I have attached for your review.

1 – Rollie Baker v. State – The inmate in this case was a conditional releasee who was challenging particular conditions of his supervision. He also challenged the use of a polygraph in his sex offender treatment. The court rejected both challenges finding first that the Commission did not abuse its discretion in imposition of conditions and second that the Commission was not connected to his particular method of sex offender treatment.

2 – Roy Harris v. Florida Parole Commission – The inmate, a former parolee, contended that the Commission was unable to extend his original parole date when he violated parole a few days before it was set to terminate, but the revocation hearing was not held until later. The court did not even consider the merits of the petition, dismissing the case due to the prejudicial lapse of time since the inmate's 1989 parole revocation.

3 - Barreiro v. FPC. This is a state challenge to the Commission's calculation of Mr. Barreiro's PPRD. The court upheld the Commissions calculation.

4 - The second case is Leonard v. FPC & FDOC. This is a federal case regarding imposition and subsequent revocation of conditional release. The court upheld the Commissions revocation.

OTHER LEGAL ISSUES:

After re-researching the issue, the legal office issued an opinion on March 1st regarding the reading of conditions during the hearing for imposition in conditional release. This past month the office also updated our internal procedures for noticing the courts on usage of PSI's in our responses in order to assist the clerks in maintaining the confidentiality of these documents. All members of the office have now completed our e-filing training for the Leon County Clerk's office and I had the opportunity to participate in a fabulous legal legislative update session hosted by the General Counsel's Association. The office has continued to work with the Cabinet aides towards the appointment of a new PQC for our upcoming Commissioner vacancy and we hope to keep everything on track.