



# FLORIDA PAROLE COMMISSION

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*Commissioner/Chair*

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*Commissioner/Vice-Chair*

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*Commissioner/Secretary*

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## FLORIDA PAROLE COMMISSION Monthly Accomplishments' Report

**APRIL 2013**  
**~CHAIR'S MESSAGE~**  
**Tena M. Pate**

April 2013 may have been one of the most productive months in the Commission's history! The Legislative Affairs Director Kevin Reilly and I worked together with the Governor's Office and the Legislature to successfully shepherd through the Commission's Budget and substantive legislative priorities for the 2013 Session as well as having Commissioners Cohen and Coonrod confirmed by the Florida Senate. The Commission made history this month by initiating its own commemorative events in observation of National Crime Victims' Rights Week. And, we are awaiting the public launch and activation of the Commission's new Facebook Page and other Social Media efforts. The following is a summary of just a few of the Commission's accomplishments this past month:

### **Legislative Session Update**

As of May 1, 2013, the General Appropriations Act for FY 2013-14 contained funding for 122 FTEs and a total appropriation for the Commission of \$8,343,176. This appropriation contains the agency's entire base budget for FY 2012-13 with a few additional funding lines including:

1. \$38,500 for rent for the Tampa Regional Office
2. \$15,000 to fund three Commission hearings in venues outside of Leon County
3. \$25,000 to fund additional clemency work

### **Extended Interviews Bill on Its Way to Governor**

The Commission's Priority substantive Legislation, HB 685 by Representative Charles McBurney (SB 742 by Senator Greg Evers), providing for extended interview periods for parole-eligible violators convicted of specified violent crimes, was passed by the Florida Senate on April 30 and is on its way to the Governor! We are excited about the opportunity to participate with the Governor, the bill sponsors, and our stakeholders and other victims' rights advocates at a future Bill Signing Ceremony!

### **Commissioners Cohen and Coonrod Unanimously Confirmed by Florida Senate**

April 26, Commissioners Cohen and Coonrod were confirmed for their respective terms by the Florida Senate on a unanimous vote by the 37 Senators voting. Vice Chair Cohen is confirmed for the remainder of the six-year term and vacancy which occurred upon the resignation of former Commissioner Fred Dunphy January 2012. Commissioner Coonrod will serve the remainder of her first full six-year term.

## COMMISSION HOLDS CRIME VICTIMS' RIGHTS WEEK EVENTS

We make things happen! The week of April 21-27, NATIONAL CRIME VICTIMS' RIGHTS WEEK, the Victims' Services office kicked off our official activities for the week by joining all criminal justice and law enforcement agencies and organizations for the annual victims' rights week displays at the Capitol. The next day, the Commission hosted a "Lunch and Learn" event which featured Gretchen Casey, a survivor of sexual assault, as the Keynote Speaker. She shared her movie and original screenplay about a 23 year-old woman attacked by a stranger in her home one night in 1984. The story/movie reveals that her assailant was sentenced to life in prison and 23 years later, the woman requests prison officials to allow her to confront him at the prison. This request raises many questions: How does a survivor regain control after a random act of violence? What can possibly be accomplished by Victim Offender dialogue? How can an encounter between the victim and an inmate change both their lives? This short film asks members of the criminal justice system to: examine the long-term needs of survivors of a violent act; review the choices available to us for accommodating victims in their recovery; and to explore the resources and options available within each of us.

On Wednesday, April 25, the Commission hosted a Tree Planting Ceremony in remembrance of victims of crime and to commemorate National Crime Victims' Rights Week this year and for years to come in a more official and meaningful way. In the past, the Commission has participated in National Crime Victims' Rights Week by attending official events and displaying an exhibit at the state Capitol, but had not initiated its own events. That day, we took a short break from our Commission meeting and dedicated a 12 foot Bald Cypress tree to the victims of crime who are no longer with us as well as victim survivors and their families. Joining Commissioners Cohen, Coonrod and me for this event were Department of Juvenile Justice Secretary Wansley Walters; Second Judicial Circuit State Attorney Willie Meggs; Gretl Plessinger, Director of Communications, Florida Department of Law Enforcement; Sheriff Ric Ramsay of Monroe County, along with former Commissioners Fred Dunphy and Charles Lawson, EOG Assistant General Counsel Thomas "Bo" Winokur, and EOG Victims' Rights Coordinator Susan Smith. I want to thank Daphne Asbell, Dawn Mikola, and Stephani France of our Victims' Services Unit for their outstanding service on behalf of crime victims as they go about helping victims – every day! So.....to this end, I have issued a challenge to each Commission Region to come up with an activity to host in their respective areas for 2014 and each year thereafter during National Crime Victims' Rights Week – a week typically held the third week of April.

## COMMISSION SECTION ACCOMPLISHMENTS

### Operations

#### Shana Lasseter, Director

- **April 4:** Field Office Clemency Training – Routine visits to the field offices throughout the State afford staff the opportunity to personally interact and discuss a myriad of issues with the DO and/or the Chair. DO Lasseter visited Region I's Quincy Office on April 4<sup>th</sup>. In conjunction with this routine field visit, clemency training was provided by Tanya SigRist, Clemency Investigations, to all Region I examiners.
- **April 8-11:** Field Office Clemency Training – In conjunction with a routine visit to Regions IV and V, clemency training was provided by Tanya SigRist, Clemency Investigations, who accompanied DO Lasseter to the regional offices in Ft. Lauderdale and Tampa.
- **April 12:** Follow Up Strategic Meeting with the Leadership Team - In January, Chair Pate held a strategy and goal setting session with senior management and supervisors during which key staff were encouraged and expected to lay out their plans for better efficiency of operations and to identify goals and set bold action plans for the next year. Both short term and long term goals were discussed for each section of the agency. The first of several follow up meetings was held April 12, 2013, which afforded the Leadership Team an opportunity to monitor and track the progress of the goals identified for each section at the initial meeting.
- **April 17:** FSU Internship Fair - On April 17, 2013, the Commission participated in Florida State University's College of Criminology and Criminal Justice Spring Internship Fair on FSU's campus. The event provided a great opportunity to promote our agency and the diverse career opportunities in the field of

criminal justice. The event was also a great opportunity to recruit interns! Many thanks to Kristin Lambert and Jeff Rollins for representing the Commission at this affair.

- **April 24:** Hearing Room Recorders and Closed Circuit TV – The Commission approved the purchase a new sound and recording system and closed circuit TV setup for the hearing room. This much needed upgrade includes a PA system, Peavey FX mixing console with USB Recorder, indoor dome camera, 550 Res wide range camera and an audio/video distribution amplifier.
- **April 26:** Website Redesign Team – While meeting with the Department’s Web Team on April 11<sup>th</sup>, the team presented the Commission with four examples of potential website designs which will bring FPC into the 21st Century. The upgrades included making the site searchable and mobile device friendly. On April 26<sup>th</sup>, a follow up meeting was held with FPC staff to determine which design and color scheme is preferred and to identify our front page links and “must haves”. We are working strictly on the public site for now with improvements to the Intranet to follow.
- **April 30:** Commission Meeting in Tampa - Final Preparations are being made for holding Parole Commission meetings in Tampa on June 19 and 20, 2013, at the Park Trammell Building, downtown.

**Office of the Commission Clerk**

**Cases Docketed:**

<b>Parole</b>	<b>154</b>
<b>Conditional Medical</b>	<b>3</b>
<b>Conditional Release</b>	<b>540</b>
<b>Addiction Recovery</b>	<b>100</b>
<b>TOTAL</b>	<b>797</b>

Month	Paroles		Conditional Medical Release	
	Granted	Denied	Granted	Denied
<b>April</b>	0	1	2	0

**CASE OF INTEREST:**

On the April 24, 2013 docket, the Commission reviewed the Initial Interview for Luis Jimenez DC# 190661. Inmate Jimenez did not have an extensive criminal history; in fact, his prior criminal record included jail time for Forgery of Checks. However, on July 26, 1989, Inmate Jimenez was arrested for 2 counts of Sexual Battery upon a Minor. The victim was the defendant’s girlfriend’s ten year old son. He reported Inmate Jimenez assaulted him on numerous occasions from the age of eight years old, between 1986 and 1988. The defendant was found guilty of one count of Sexual Battery on a Minor. During the April 24, 2013 hearing, the victim spoke on Inmate Jimenez’s case. A male victim verbalizing the crime does not occur very often and the Commission applauded his testimony. The Commission voted Inmate Jimenez’s Presumptive Parole Release date for July, 25, 2041 and established his Next Interview for December 2019.

**Imaging**

- April 2013 totals for Imaging Inmate Records (IRIS):

Completed Documents	3,300
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**Revocations**

**STATISTICS:**

Warrants Issued	184
Cases Reviewed and Prepared for Docket	164

TRAINING:

- Supervisor Kim Dickey attended Chair Pate's 2nd Strategy & Goal Meeting to update the Chair on the progress Revocations has made toward achieving their goals.
- Supervisor Kim Dickey attended the first Lunch & Learn Series, "Working in a Multi-Generational Setting", which focused on the different types of generations: Veterans, Baby Boomers, Generation X and Millennials.

Victims' Services

	<b>April 2013</b>
Victims' requests for information on parole, conditional release, and conditional medical cases	429
Victims Located	48
Status updates to victims on parole, conditional medical and clemency cases	426
Assisted victims who attended parole or clemency hearings	49

Field Services

Field Services' Statewide Activity Totals

	<b>April 2013</b>
Monthly Interviews and Hearings Conducted:	
Parole Interviews	112
Revocation Interviews	266
Revocation Hearings	58
<b>Total Interviews and Hearings for the Month</b>	<b>436</b>

**REGION I:**

- COURTESY INTERSTATE COMPACT TASKS:
  - Region I performed two notices and one hearing.
- PENDING CLEMENCY CASES:
  - With a hearing: 725
  - Without a hearing: 124
  - Total Cases: 849
- TRAINING:
  - All Region I examiners attended Clemency training at the Quincy office on April 4th.

**REGION II:**

- COURTESY INTERSTATE COMPACT TASKS:
  - Region 2 had eight (8) requests for a Courtesy Preliminary Hearing from Interstate Compact.
- PENDING CLEMENCY CASES:
  - With a hearing: 994
  - Without a hearing: 165
  - Total Cases: 1159
- TRAINING:
  - Regional Administrator Mills Rowland conducted training on "Processing" With a Hearing Clemency Investigations at the April Staff meeting held on 4/12/2013.
- COMMUNITY SERVICE:
  - Examiner Cliff Rowan is a volunteer through the Florida Gaurdian Ad Litem program in Columbia County.
  - Examiner Gary Fox is a volunteer and coach with the Special Population Activities Recreation Council (SPARC) in Volusia County.

- MISCELLANEOUS:
  - Parole Examiner Richard (Rick) Hughes returned from extended leave on 4/29/2013. Welcome back Rick.

### **REGION III:**

- COURTESY INTERSTATE COMPACT TASKS:
  - Region III was asked to conduct two probable cause hearings in April.
- PENDING CLEMENCY CASES:
  - With a hearing: 1157
  - Without a hearing: 160
  - Total Cases: 1317
- TRAINING:
  - Safety and Loss Prevention procedure directive.
  - Clemency eligibility review form.
- MISCELLANEOUS:
  - Celebrated Administrative Professionals day with lunch.
  - Examiner Felix Ruiz received Kudos for an email commending his service.
  - Staff in Ocala and Jolynn Linder in Cocoa boxed/logged Clemency files for record storage.

### **REGION IV:**

- COURTESY INTERSTATE COMPACT TASKS:
  - 8- Notice of Hearings
  - 1 - Preliminary Hearings
- PENDING CLEMENCY CASES:
  - With a hearing: 2584
  - Without a hearing: 294
  - Total Cases: 2879
- TRAINING:
  - Shana Lasseter, Director of Operations, visited Region IV along with Tanya Sigrist with Clemency Investigation. Tanya provided in depth Clemency Training April 9th (full day) and a half day April 10th. Training provided covered extensive discussion on preparing and processing RCR Without a Hearing cases. This training was extremely informative and beneficial to staff.
- MISCELLANEOUS:
  - Jayne Hayden attended Opportunities Industrialization Center (OIC) of South Florida, Partner Coordination Planning Meeting on April 25, 2013. Jaye received information on facilitating assistance for the needs of offenders being released to the Broward County area. Over the past several years, OIC has provided Substance Abuse evaluations/treatment, job training, employment counseling and job placement services to assist ex-offenders build a strong network to help prevent recidivism.

### **REGION V:**

- COURTESY INTERSTATE COMPACT TASKS:
  - March 26, 2013 – April 28, 2013 - 8
- PENDING CLEMENCY CASES:
  - With a Hearing: 1293
  - Without a Hearing: 288
  - Total Cases: 1581
- PERSONNEL ACTION:
  - Staff continues to work on the RCR OPS Project.
  - Patti Razor hired as OPS to work on clemency investigations.
- TRAINING:
  - Clemency training provided by Tanya Sigrist of Central Office.

- Pamela Carwise re-certified in FCIC/NCIC.
- **COMMUNITY SERVICE:**
  - Kip Astrom attended the Pinellas County Re-Entry Meeting.
  - Cathy Aylstock attended the monthly FCCD meeting.
  - Cathy Aylstock participated in the “World Book Night” and donated books to the Tampa VA Nursing Home.
- **MISCELLANEOUS:**
  - Administrative Professional Day – Staff Assistant Linda Dixon was recognized with flowers, gift cards and a Continental Breakfast.

**Administration**  
**Gina Giacomo, Director**

The Division of Administration’s primary accomplishments in the month of April 2013 included: The efforts to accomplish the goals of the utilization for the Statewide Enterprise Efficiency Initiatives Procurement Transformation Project. The MFMP Agency Utilization report has five areas that each state agency receives a score. The lowest score is red; to yellow and highest is green. We are green in four areas. We have gone from red at 51% for MFMP Catalog Utilization area to yellow 64%. The Commission continues to be the only state agency to be green 100% on the eQuote utilization matrix.

Revised and updated the procedure directives for Award and Recognition, Workers’ Compensation, Americans with Disabilities Act, Employee Grievance Americans with Disabilities Act, Employee Grievance, Violence in the Workplace, Separation and Term Employee, Sexual Harassment, Safety and Loss Prevention, Code of Ethics, Travel, Procedure Directive for writing procedure directives, Information Technology, and wrote a new procedure directive on Dispute Resolution. All revised and new procedure directive have been post on the Commission intranet site. A total of 14 procedure directives completed. A special thanks goes to the Legal Department for all of their assistance in accomplishing this goal.

For the past 20 years Human Resource has kept the hard copy of the records in the file cabinets and in boxes. Human Resource has started a project to have all 20 years of hard copies electronic. As of April 1, 2013, 18% of the total project has been scanned. This includes termed personnel files from 1993, 1996, 1998, 1999 and 2000.

Achieved 100% prompt payment on invoices. Prepared monthly budget documents, Conducted research, participated in both the Commission Management System work group and the Communications work group weekly meetings, submitted request for many updates to FPC websites. We also completed the CEFPP survey for DFS, Survey for Mass Notification for Emergency Management, and the survey for the Service concession Agreements.

Division employees attended many trainings on the following topics, (1) FASAAD Administration, (2) Purchasing, (1) Human Resource (1) Negotiations, (1) P-card Administration.

**Office of Clemency Investigations**  
**Steve Hebert, Director**

**Pending Clemency Cases May 1, 2013**

<b>Types of Clemency Cases</b>	<b>April 2013</b>
RCR Cases	14,418
Without a Hearing Cases (2,122)	
With a Hearing Cases (12,296)	
Non-RCR Cases*	8,099
<b>Total Pending Clemency Cases</b>	<b>22,517</b>

\* Full Pardon, Specific Authority to Own/Possess/Use Firearms, Remission of Fines, Commutation of Sentence and Request for Review.

Highlights / Accomplishments for the month of April 2013 for the Office of Clemency Investigations include:

- On April 11, 2013, 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.
- On April 16, 2013, the clemency database workgroup comprised of members from the Office of Clemency Investigations, the Office of Executive Clemency, and Tony Sullivan, Department of Corrections OIT, met to strategize on new enhancements to increase efficiency including steps to begin scanning documents and working towards an electronic clemency file management system.
- Conducted capital punishment clemency investigations and interviews for death row inmates.
- Conducted Request for Review investigations for commutation of sentence applications.
- Reviewed Restoration of Civil Rights cases for eligibility prior to sending them out to field offices for in-depth field investigations to be conducted.
- Conducted quality assurance reviews of all clemency investigations completed by regional field offices.

**Office of Communications**  
**Jane Tillman, Director**

- Updated Leadership Team on 2013 Goal Setting Exercise Progress.
- Participated in Governor's Communications' Director Meetings.
- Coordinated Weekly Employee Feature for Governor's State Employee Newsletter.
- Provided Weekly Legislative Updates to Stakeholders.
- Oversaw the production of the Commission's first Victims' Rights Week Tree Planting Ceremony.
- Coordinated and sent out media alerts, media advisories, and pre-and-post event press releases for April 24 Tree Planting Ceremony.
- Launched the FPC Facebook page on April 30, 2013 featuring event post about the Commission's National Crime Victims' Rights Week activities. The page also provided a welcome from Chair Pate to individuals visiting the page. This is the first step the Office of Communications is taking to become more interactive with the citizens of Florida, by providing information on Commission events, meeting schedules, and latest updates.

**Executive Clemency**  
**Julia McCall, Clemency Coordinator**

- On January 28th, this office added on five Central Office staff members familiar with the clemency function to assist in processing Without A Hearing applications for clemency. As of April 29th, 2,914 applications have been processed by staff assigned in the office and including the additional assistance. Those cases determined eligible are then forwarded to the Clemency Investigations Office and those applicants who are determined ineligible at this time are notified.
- On April 1, 2013, Executive Clemency and the additional staff commenced processing the With A Hearing applications on file. On April 29th, 365 applications have been processed.
- As of April 29, the Web Page for the Florida Parole Commission has received 1,142,800 hits with 874,749 searches for Restoration of Civil Rights grants, 91,984 names were located and 60,182 certificates have been printed. This web page was established in 2008. Currently there are 375,070 certificates available for printing.

**Legal Office**  
**Sarah Rumph, General Counsel**

The legal office continued to assist with several in-house needs this month including presenting information on aggravations; working with personnel and administration updating policies; and answering questions or concerns

from legislative affairs, clemency and operations. As a result of some our hard work from the months past, here are 4 cases where orders were received from the courts since the last summary:

- Martinez v. FPC – this case was a challenge to revocation of conditional release where the court upheld the findings of a violation even though the releasee was contending that he did not waive his hearing, he did not receive any notices, and other similar arguments.
- LeFleur v. FPC – the parole-eligible inmate challenged the objective parole guidelines and the Commission’s PPRD rules. He specifically contended that the rules failed to credit him for his youthfulness at the time he committed his crime, violating Graham and Miller. The Court held that the challenger did not sufficiently meet his requirements to entitlement to declaratory relief. The Court also rejected the Graham and Miller claims stating that these cases are not applicable to the Commission’s risk predictions.
- Rodwell v. FPC – the conditional releasee in this case violated his conditional release on multiple occasions. He argued to the Court that he was entitled to additional credit towards his sentence for time spent in drug treatment facilities. The Court rejected the arguments upholding the Commission’s discretion to not credit for “street time.”
- Young v. FPC – In this case, the releasee was challenging his revocation of conditional release stating there was no competent and substantial evidence of the revocation because the alleged victim recanted. The Court rejected the arguments, finding there was a preponderance of the evidence that the criminal behavior occurred based on the testimony of an eye witness and responding officers. The Court also continued to uphold that the examiner may find the recantation as not credible in light of all the other evidence.

**Office of Legislative Affairs**  
**Kevin Reilly, Director**

**LEGISLATIVE PRIORITIES UPDATE**

The Commission had two priority bills that were referenced in session. House Bill 685 dealing with extended interview periods was passed by the legislature and sent to Legislative Officers and Governor Scott for review. Our second bill, while not passed, will be studied in the interim.

<b>Bill</b>	<b>Committees of Reference</b>
SB 540-Mandatory Supervision	<b><u>S Criminal Justice</u></b> <b><u>S Judiciary-</u></b> <b><u>S Appropriations Subcommittee on Criminal and Civil Justice-</u></b> <b><u>S Appropriations</u></b> <i>*On hold; will be studied in the interim and ready for filing in the 2014 session.</i>
HB 829-Mandatory Supervision	<b><u>H Criminal Justice Subcommittee</u></b> <b><u>H Justice Appropriations Subcommittee-</u></b> <b><u>H Judiciary Committee</u></b> <i>*On hold; will be studied in the interim and ready for filing in the 2014 session.</i>