



FLORIDA PAROLE COMMISSION

4070 Esplanade Way, Tallahassee, Florida 32399-2450

TENA M. PATE
Commissioner/Chair

BERNARD R. COHEN, SR.
Commissioner/Vice-Chair

MELINDA N. COONROD
Commissioner/Secretary

FLORIDA PAROLE COMMISSION Monthly Accomplishments' Report

MARCH 2013 ~CHAIR'S MESSAGE~ Tena M. Pate

March 2013 began at a rapid pace with the opening of the 2013 Legislative Session on March 9. The following is a summary of the Commission's key events for March 2013:

Legislative Session Update

The Commission's priority bills have cleared several committees with HB 685 primed to go to the House floor for a vote at any time. The current status of each bill is shown below:

S.B. 540 by Senator Charlie Dean

Senate Bill 540 rebrands the Conditional Release Program as the "Mandatory Supervision Program," and requires that persons convicted on or after a specified date of crimes in specified categories and released after having served 85% of their sentence, must be under mandatory supervision for the remainder of their sentence.

- 3/11 Passed out of the Senate Criminal Justice Committee as a Committee Substitute by a unanimous vote of 6-0. 4/1 Passed out of Senate Judiciary by a unanimous vote of 8-0. Now pending in the Senate Appropriations Committee on Criminal and Civil Justice.

H.B. 829 by Representative Passidomo

House Bill 829 rebrands the Conditional Release Program as the "Mandatory Supervision Program," and requires that persons convicted on or after a specified date convicted of crimes in specified categories and released after having served 85% of their sentence, must be under mandatory supervision for the remainder of their sentence.

- 3/12 Passed out of the House Criminal Justice Subcommittee as a Committee Substitute by a vote of 10-2. 4/2 Pending before the House Criminal Justice Appropriations Subcommittee.

S.B. 742 by Senator Greg Evers

Senate Bill 742 permits the Florida Parole Commission to increase the interval between parole interviews from within two to within seven years for those inmates whose interviews are currently every two years.

- 3/11 Passed out of the Senate Criminal Justice Committee by a unanimous vote of 6-0. 4/1 Passed out of Senate Judiciary by a vote of 8-1. Pending before the Appropriations Subcommittee on Criminal and Civil Justice.

H.B. 685 by Representative McBurney

House Bill 685 permits the Florida Parole Commission to increase the interval between parole interviews from within two to within seven years for those inmates whose interviews are currently every two years.

- 3/13 Passed out of the House Justice Appropriations Subcommittee by a unanimous vote of 13-0. 3/20 Passed out of House Judiciary Committee 18-0. 3/20 Placed on the Calendar on Second Reading.

Monday, March 18, both Commissioners Cohen and Coonrod were considered for confirmation by the Senate Ethics and Elections Committee. They were both reported favorably out of committee with no dissenting votes. This was their last committee hearing before going to the floor to be voted on by the full Senate.

On Friday, March 22, Commissioner Cohen, Capital Punishment Research Specialist Michelle Whitworth and I traveled to Starke, Florida to conduct an interview with a Death Row Inmate.

Active Shooter Awareness Training

March 13-14, the Commission staff participated in the Florida Department of Law Enforcement training class structured around real life circumstances of an active shooter situation. Employees learned defense techniques and how to keep calm in dangerous surroundings. Employees also learned valuable lifesaving tips and techniques that will help them mentally and physically prepare for this type of stressful situation.

March 20, 2013 Clemency Board Meeting

On March 20, the Commission participated in the quarterly meeting of the Clemency Board, along with clemency aides for the Board members. The agenda consisted of 77 cases and of these the following requests were granted: four Full Pardons, one Pardon without Firearm Authority, three Restoration of Firearm Authority, and 14 Restoration of Civil Rights cases. Among the 77 cases, two were continued and six were taken under advisement. Staff from the Office of Executive Clemency are now in the process of preparing the disposition notifications to those individuals whose cases were discussed. The executive orders will be prepared for signature by the Clemency Board and then filed with the Secretary of State.

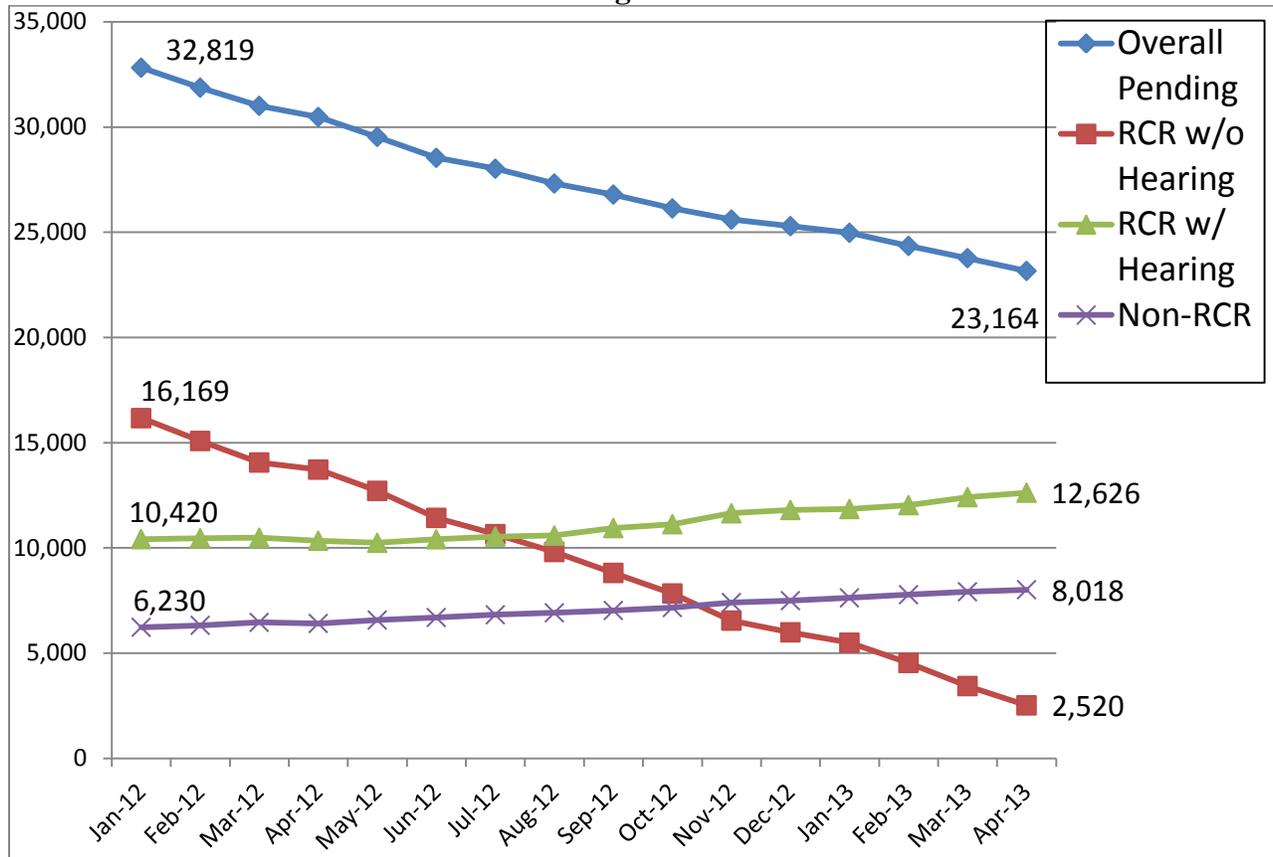
Clemency Applications Processed

Late January, the Commission added on five Central Office staff members familiar with the clemency function to assist in processing RCR *Without A Hearing* applications for clemency. As of March 27, 2,447 applications were processed by full-time staff and OPS workers assigned to process these cases daily. These applications were either determined eligible and sent to clemency investigations for the next step in the process or determined ineligible, with the applicant being notified of such. We continue to also process applications for all other forms of clemency simultaneously.

The Florida Parole Commission has received 1,128,846 hits with 866,374 searches for Restoration of Civil Rights (RCR) grants with 91,159 names located and 59,773 certificates printed. Currently there are 375,024 RCR certificates available for printing.

As of March 1, 2013, there were 23,771 pending clemency cases which include 15,854 RCR cases and 7,917 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. The RCR cases include: 3,437 RCR *Without a Hearing* Cases and 12,417 RCR *With a Hearing* Cases.

**Restoration of Civil Rights Pending Clemency Cases:
WebPage Statistics**



COMMISSION SECTION ACCOMPLISHMENTS

Operations

Shana Lasseter, Director

- **March 1:** Shana Lasseter, Director of Operations (DO), participated in a re-entry seminar at the Quincy Annex along with Region I Administrator Tom Hamilton and Parole Examiner Russ Gallogly. PE Gallogly is to be commended for his presentation to the group on various Commission issues.
- **March 8:** Chair Pate authorized updates to FPC Procedure Directive 2.01.06, Field Retention of Records. The revised directive allows field offices to destroy certain records after much shorter periods of time, thereby opening up ample amounts of storage space in each office.
- **March 12-14:** Julia McCall, Executive Clemency Coordinator and Shana Lasseter, DO, participated in The Florida Institute of Government's "From Supervisor to Leader: Roadmap to Success" webinar. The training focused on supervisors of all levels who desire to become better leaders. The course provided a comprehensive look at the different methods and measures for increasing employee performance and satisfaction, as well as recommendations and procedures for conflict resolution, ethical decision making, more effective communication (especially during times of rapid change), and pertinent employment law issues. The training modules included: Leadership Theories and Practices; Communication and The Human Side of Work; Performance Management, Delegation, and Motivation Change and Conflict Management; and Employment Laws and Ethical Decision Making.
- **March 19:** After careful review and consideration, the Office of the General Counsel receded from the January 1998 legal opinion that stalking offenses are not conditional release eligible. Working closely with the Department, the appropriate work orders were submitted to facilitate changes in the Corrections Data Center to begin coding the various stalking offenses as conditional release eligible.

- **March 28:** Field staff concerns about out of state violation reports and the need for more specific information from Florida POs were conveyed to the Department. It was explained to DC that parole examiners were spending an exorbitant amount of time trying to determine from the reports which violations should appear on the notice of hearing. The Department agreed this was not appropriate, and responded with a memorandum to all Community Corrections staff in an effort to correct the problem. The memo advised officers that when reporting conditions the offender is alleged to have violated to the sending state in a violation report, the officer will cite the number of the condition (or special condition) and the state that issued the supervision order. If the condition cited is both a Florida and other state condition, both numbers and states should be cited when listing the alleged violation and circumstances.

Office of the Commission Clerk

Cases Docketed:

Parole	108
Conditional Medical	1
Conditional Release	441
Addiction Recovery	49
TOTAL	599

Month	Paroles		Conditional Medical Release	
	Granted	Denied	Granted	Denied
March	1	1	1	0

CASE OF INTEREST:

The Parole Commission received an email regarding inmate Christopher Cade #P02431 on February 27, 2013 regarding the subject’s special conditions. Mr. Cade was offered a job opportunity to travel to New Jersey for two weeks out of the month. Since the subject had the curfew condition, his Probation Officer was hesitant to approve such travel even though it was for work purposes. The Commission Clerk’s office contacted the Probation Officer and his Supervisor regarding the request. After many emails and several follow up phone calls, the Probation Officer submitted a request to the Commission to reconsider the curfew. On the March 27, 2013 docket the Commission voted to delete the curfew, which will allow Mr. Cade an opportunity to further his career with the extended work travel.

Imaging

- March 2014 totals for Imaging Inmate Records (IRIS):

Completed Documents	3,084
---------------------	-------

Revocations

STATISTICS:

Warrants Issued	196
Cases Reviewed and Prepared for Docket	104

CASE OF INTEREST:

DC#129353- DANIELS, DERRICK. The offender was released on conditional release on March 23, 2013, to remain under supervision until December 22, 2013. His criminal history began in 1986, where he had numerous out-of-state convictions for robbery, possession of marijuana, petit theft, trafficking in stolen property and other misdemeanor charges, which eventually lead to his convictions in Florida. His first conviction in Florida was in 2007, for Delivery of Cocaine with a 1 year and 1 day sentence. He was again convicted in 2009, for Robbery and Grand Theft, resulting in him receiving a 5-year sentence. The robbery involved the offender giving the cashier a note demanding all of her money. Within hours of being released from prison, on March 23rd, the offender robbed a convenience store and is currently in custody awaiting his court date.

Victims' Services

	March 2013
Victims' requests for information on parole, conditional release, and conditional medical cases	232
Victims Located	60
Status updates to victims on parole, conditional medical and clemency cases	508
Assisted victims who attended parole or clemency hearings	19

Field Services

Field Services' Statewide Activity Totals

	March 2013
Monthly Interviews and Hearings Conducted:	
Parole Interviews	106
Revocation Interviews	237
Revocation Hearings	61
Total Interviews and Hearings for the Month	404

REGION I:

- **COURTESY INTERSTATE COMPACT TASKS:**
 - Region I performed two notices and no hearings.
- **PENDING CLEMENCY CASES:**
 - With a hearing: 738
 - Without a hearing: 119
 - Total Cases: 857
- **TRAINING:**
 - On 3/1/13 Examiner Gallogly participated in a Re-entry Seminar at Quincy Annex with RA Tom Hamilton and Director of Operations Shana Lasseter.
 - On 3/11/13 Shana Lasseter and Laura Tully accompanied Examiner Braxton to Liberty CI to conduct parole interviews.
 - On 3/13/13 Examiner Gallogly participated in a re-entry seminar at Santa Rosa CI.

REGION II:

- **COURTESY INTERSTATE COMPACT TASKS:**
 - Region 2 had five (5) requests for a Courtesy Preliminary Hearing from Interstate Compact.
- **PENDING CLEMENCY CASES:**
 - With a hearing: 1007

- Without a hearing: 158
- Total Cases: 1165
- TRAINING:
 - Examiners Cliff Rowan and Joanna Anderson were trained on PPRD scoring and interviewing.
- 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.
 - Regional Administrator Mills Rowland participated in a cook-out through the Church of Eleven22 for the homeless in Jacksonville Beach on 3/16/13.
 - Mills Rowland participated on 3/27/13 in a fund raiser for a Mission Trip for others through Compassion International for a trip to Uganda and Kenya, Africa.
- MISCELLANEOUS:
 - Examiner Kimberly Barrett returned from maternity leave on 3/12/2013. Welcome back Kimberly!

REGION III:

- COURTESY INTERSTATE COMPACT TASKS:
 - Region III was asked to conduct three probable cause hearings in March.
- PENDING CLEMENCY CASES:
 - With a hearing: 1161
 - Without a hearing: 154
 - Total Cases: 1315
- PERSONNEL ACTION:
 - Yearly Performance Evaluations completed for all staff.
- TRAINING:
 - Jolynn Linder completed Citizen Preparedness Program [from 3CP2 Community College – On line Free Course - FEMA Emergency Disaster] on 3/6/13.
 - Felix Ruiz completed CJIS recertification on 3/28/13.
- MISCELLANEOUS:
 - Felix Ruiz participated as a speaker in the re-entry seminar at Sumter Correctional Institution on 3/20/13.
 - Muriel Emerson participated in the Everest University Professional Advisory Board Meeting on 3/20/13. The purpose was to further acquaint local law and criminal justice professionals with their Criminal Justice Program and to gain insight and valuable feedback to ensure their students are well trained to meet the changing needs of the profession.

REGION IV:

- COURTESY INTERSTATE COMPACT TASKS:
 - 10 - Notice of Hearings
 - 2 - Preliminary Hearings
- PENDING CLEMENCY CASES:
 - With a hearing: 2593
 - Without a hearing: 283
 - Total Cases: 2877
- TRAINING:
 - During the month of February 2013, Examiner John O'Donnell trained Examiner Tara Tracey on subsequent and extraordinary parole interviews.
 - On March 8, 2013, Examiner Tara Tracey attended a revocation interview conducted by Parole Examiner John O'Donnell.

- MISCELLANEOUS:
 - On February 26, 2013, Chair Pate visited all three office in Region IV.
 - On March 5, 2013, staff from the Broward Office, Jayne Hayden, Rich Konior, Sandy Pimental, and Cindy Zimmerman, attended the Broward County Human Trafficking Coalition, Inc. monthly meeting. Topics of discussion were the new movie release, upcoming events to raise awareness of Human Trafficking/Sex Slavery and Abuse. Subcommittee reports were provided from STARS (Stop Trafficking and Rescue Survivor), STRIPES (Stop Trafficking and Rescue Individual Persons Exploited through Slavery), and AIM (Law Enforcement). Staff was privileged to meet the recently appointed Mexican Legal Consulate, Consul Manuel Hernandez, from Miami. He discussed his office's relationship with BHTC and the office's role in offering protection and legal advice to those needing it in the 13 counties of Southern Florida. They also attended two presentations: 1) The National Center for Missing & Exploited Children, presenter discussed the new National Program for educating parents and children called "Take 25", free resources are available at www.take25.org; 2) Sol Media Network & Resources, an anti-human trafficking advocate who trains groups and individuals in rescuing victims of sex trafficking.
 - In February 2013, Supervisor Ayesha Carson participated in the Re-entry seminar at South Florida Reception Center-South Unit.

REGION V:

- COURTESY INTERSTATE COMPACT TASKS:
 - February – 2013 – 9 request for Probable Cause Hearings
 - March – 2013 – 7 request for Probable Cause Hearings (as of 03/25/2013)
- PENDING CLEMENCY CASES:
 - With a hearing: 1515
 - Without a hearing: 261
 - Total Cases: 1576
- PERSONNEL ACTION:
 - Staff continues to work on the RCR OPS Project.
- TRAINING:
 - Levar Allen and Rhonda Murphy were re-certified in FCIC/NCIC.
- COMMUNITY SERVICE:
 - Kip Astrom attended the Pinellas County Re-Entry meeting.
 - Cathy Aylstock attended the monthly FCCD meeting.

Administration **Gina Giacomo, Director**

The Division of Administration's primary accomplishments in the month of March 2013 included: The Commission continues to be the only state agency to be green 100% on the eQuote utilization matrix and has gone from red 51% to yellow 64% on the MFMP Invoice utilization for the Statewide Enterprise Efficiency Initiatives Procurement Transformation Project. Achieved 100% prompt payment on invoices. Commission recognized as the first agency to submit agency wide (Cascade) performance measures for the performance evaluations. The Commission ranked 6th in employees receiving their W-2 forms electronically.

Developed training materials and presented training to Commissioner staffs on P-card procedures, Travel procedures, and completing travel request and reimbursement. Revised and updated the administration portion of the Field Retention procedure directive. Prepared monthly budget documents, Assisted with bill analysis and legislative proposals, conducted research, participated in both the Commission Management System work group and the Communications work group weekly meetings, arranged for ING visit, and submitted request for many updates to FPC websites.

Division employees attended many trainings on the following topics (4) My Florida Marketplace, (2) Vender file, (2) FASAAD Administration, (4) Purchasing, (1) Interagency Advisory Council & Risk Management (1)

Human Resource (1) Active Shooter, (1) Florida Accountability Grants Tracking System (1) P-card Administration (1) FACTS.

Office of Clemency Investigations
Steve Hebert, Director

Pending Clemency Cases April 1, 2013

Types of Clemency Cases	March 2013
RCR Cases	15,146
Without a Hearing Cases (2,520)	
With a Hearing Cases (12,626)	
Non-RCR Cases*	8,018
Total Pending Clemency Cases	23,164

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

- On March 12, 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, finalized the new MACNet database feature designed to allow data collection of the various reasons for determining clemency applications ineligible.
- As of March 1, 2013, our office completed the preparation of 100 boxes (5,267 files) of closed central office clemency files in accordance with approved retention schedules to be processed to the Storage Records Center.
- The Governor and Cabinet, sitting collectively as the Clemency Board, held its first quarterly Clemency Board Meeting at the Capitol on March 20, 2013. The Commission completed and submitted 76 in-depth clemency investigations for Commutation of Sentence, 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 office researched the specific reasons why applicants requested restoration of their civil rights. We reviewed the 55 Restoration of Civil Rights cases heard at the March 20, 2013 Clemency Board Meeting. Several applicants indicated multiple reasons in their statements to our examiners, and the following information is a brief summary of what our research revealed:
 - 76% of the applicants specifically indicated that they were interested in regaining their right to vote, sit on a jury or hold public office.
 - 22% 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.
 - 16% of the applicants did not provide any specific reason for requesting their civil rights.
 - 27% of the applicants voted in an election without having their civil rights restored.
- On March 20, 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.

- Conducted capital punishment clemency investigations 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

- Conducted two Social Media Committee Meetings and three Communications Briefings with Leadership Team.
- Attended the monthly Governor's Office State Agency Communications Directors Meeting.
- Drafted a memoranda and submitted names of four Commission employees to be featured each week in the Governor's Weekly Newsletter to state employees.
- Coordinated and responded to various public records and media requests.
- Provided informational brochures to the Florida Black Legislators for their 2013 Annual Summit.
- Provided updated clemency data to the media.
- Drafted and distributed legislative updates to stakeholders
- Handled a high profile media case on behalf of the Governor's office regarding a Nevada inmate.
- Worked on social media implementation goals with the Social Media Committee and drafted Facebook post in preparation for the official launch.

Executive Clemency
Julia McCall, Clemency Coordinator

- The Office of Executive Clemency participated in the quarterly meeting of the Board along with staff from the Florida Parole Commission. The agenda consisted of 77 cases being addressed. Four Full Pardons were granted, one Pardon Without Firearm Authority, three Firearm Authority and 14 Restoration of Civil Rights requests. Two cases were continued and six cases taken under advisement. Staff from the Office of Executive Clemency will now prepare the disposition notifications to those individuals whose cases were discussed. The executive orders will be prepared for signature by the Clemency Board and then filed with the Secretary of State.
- 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 March 27th, 2,447 applications have been processed by staff assigned in the office processing on a daily basis as well as the newcomers. These applications were either determined eligible and sent to Clemency Investigations for the next step in the process or determined ineligible, with the applicant being notified of such. We continue to also process applications for all other forms of clemency simultaneously.
- As of March 27th, the Web Page for the Florida Parole Commission has received 1,128,846 hits with 866,374 searches for Restoration of Civil Rights grants. 91,159 names were located and 59,773 certificates have been printed. The web page was established in 2008. Currently there are 375,024 certificates available for printing.

Legal Office
Sarah Rumph, General Counsel

Highlighted cases from this month:

- Gaines v. FDOC & FPC – In this case, the inmate challenged all aspects of his conditional release revocation, including the legitimacy of his waiver of his conditional release hearing. The circuit court thoroughly reviewed all of the arguments and then, ultimately, denied the petition.
- Lewis, George v. FPC – Oral arguments were presented before the 1st DCA on this case in February. The question before the court was the constitutionality of the Florida Statute (§ 95.11(5) (f), Fla. Stat.) used to dismiss petitions challenging PPRD actions that occurred over 1 year prior to the filing of the petition. The court denied the petition, upholding the constitutionality of the statute and affirming the dismissal of the petition in the lower court.

Office of Legislative Affairs
Kevin Reilly, Director

COMMISSIONERS CONFIRMATION

- Kevin Reilly, Legislative Affairs Director prepared Commissioners Coonrod and Cohen to be confirmed by the Senate Ethics and Elections Committee. This is the last committee reference of their confirmation journey. Next stop is before the full Senate for a Floor vote.

LEGISLATIVE PRIORITIES UPDATE

- The Commission has two priority bills that were referenced this month. Below is a list of bills that are steadily moving throughout the committees:

**indicates bill current committee*

Bill	Committees of Reference	Sponsor
SB 540-Mandatory Supervision	<u>S Criminal Justice</u> <u>S Judiciary-</u> <u>S Appropriations Subcommittee on Criminal and Civil Justice-*</u> <u>S Appropriations</u>	Dean
HB 829-Mandatory Supervision	<u>H Criminal Justice Subcommittee</u> <u>H Justice Appropriations Subcommittee-*</u> <u>H Judiciary Committee</u>	Passidomo
SB 742-Parole Interview Date	<u>S Criminal Justice</u> <u>S Judiciary</u> <u>S Appropriations Subcommittee on Criminal and Civil Justice-*</u> <u>S Appropriations</u>	Evers
HB 685- Parole Interview Date	<u>H Criminal Justice Subcommittee</u> <u>H Justice Appropriations Subcommittee</u> <u>H Judiciary Committee</u> Passed out of all committees. Placed on Calendar, on 2nd Reading	McBurney