



# FLORIDA COMMISSION ON OFFENDER REVIEW

(formerly Florida Parole Commission)

SERVING THE CITIZENS OF FLORIDA SINCE 1941

*Monthly Accomplishments Report – October 2014*

## Chair's Message

*Tena M. Pate*

Our two days of hearings in Tampa this month reminded me once again of how much we can accomplish when we work as a team. The hearing room was full both days and we had a number of distinguished guests in attendance, in addition to having our hearings covered by the Tampa Tribune. Some of our guests included: Elizabeth Roe from Rep. Mark Danish's office, Melonie Hoyt from Rep. Dana Young's office, Gloria Perez from Rep. Spano's office, Sgt. T.L. Shanafelt from the Sarasota Police Department, Steve Hogue from the Hillsborough County Sheriff's Office, Christopher Watson of the 13th Judicial Circuit's Public Defender's Office, and State Attorneys Mark Ober of the 13th Judicial Circuit and Jerry Hill of the 10th Judicial Circuit.

A total of 291 cases were voted during our two days in Tampa, and a number of victim and offender family members took advantage of this opportunity to be heard by the Commission without the inconvenience of traveling to Tallahassee. The Commission benefitted as well by receiving their input. On behalf of Commissioners Coonrod and Davison, I would like to thank Region V Regional Administrator Helen Williams-Lester for all the work she and her staff contributed to this effort, as well as our own staff here in Central Office, who did their usual outstanding job.

Other events that occurred this month include a productive meeting with our Leadership Team on the status of our Goals and Strategies for the year, and an informational meeting between our legislative and administrative teams and TaxWatch staff after they attended our October 8 hearing in Tallahassee. I especially appreciate OEC Coordinator Julie McCall and Operations Director Shana Lasseter attending the graduation of DC's Region II "Today's Women Facing the Future" on my behalf, as well as Shana attending the DC's Community Partnership Meeting at Wakulla CI this month. I strongly believe community outreach is key, as are strengthening our partnerships with other agencies, and I was proud to be the keynote speaker this month at the Big Bend Paralegal Association and to serve on the scoring panel of the Florida Department of Law Enforcement's (FDLE's) Senior Leadership Program.

Every month we receive accolades for our exemplary staff, and I'd like to share two that we received this month. The first is from the National Parole Resource Center's (NPRC) Director Peggy Burke, who cited a page on our website entitled "Media Tips for Victim Interaction" <https://www.fcor.state.fl.us/victimTips.shtml> as "an excellent example of reaching out to a specific audience (the media) with some valuable, clear information that will assist them to be more respectful of the individuals victimized by crime." Kudos to Molly Kellogg-Schmauch and our Communications Team, and Daphne Asbell and our Victims' Services Team for creating this webpage, which is being cited by the NPRC as an example of strong communication practices for other parole boards to emulate.

Lastly, I'd like to mention a touching thank you letter received this month by Commission Investigator Dale Sloan. In it, a clemency applicant wrote "You treated me with dignity and respect. Your kindness is evident by the way you conduct your work." Thank you, Investigator Sloan, for reminding us that while our mission will always be public safety, treating people with kindness and respect is an integral part of our process.

Respectfully,

Tena M. Pate, Chair

## Division of Operations

*The Division of Operations is comprised of four sections: Revocations; Victims' Services; Office of the Commission Clerk; and Field Services. Twelve field offices are divided into five regional areas across the state. Operations is responsible for multiple, diverse functions relating to the administration of post-prison supervisory release programs. These supervised release programs include parole, conditional release, conditional medical release, addiction recovery, and control release supervision. The Division, through its Field Services' staff, conducts administrative hearings for violations of supervision, as well as clemency investigations for the Board of Executive Clemency.*

### Accomplishments: October 2014

During the October quarterly Goals and Strategies meeting with the FCOR Leadership Team, the Operations division proudly announced accomplishments in the following areas:

- Field staff across the state formed a procedure directive workgroup to focus on the very important issue of updating and modernizing many outdated directives. The workgroup, led by Region II Administrator Mills Rowland, meets via conference call on a regular basis. The first procedure directive the team dissected and updated was Conducting Revocation Hearings. Excellent accomplishment through great team work!
- The Revocations Unit has been fully cross-trained. A long overdue project, desk manuals for each position in the unit were created or updated to ensure all tasks can be accurately completed in the absence of the team member primarily responsible for them.
- Official agency procedure directives were created for Waivers in Absentia and Out of State Hits and Extraditions. Again, this was a project which was delayed numerous times due to higher priority assignments, but the goal of putting these procedures in place and on the books has been attained.
- FCOR and USMS team members continue to work diligently on Operation Justice Owed (OJO) investigating the whereabouts of absconders targeted by the warrant sweep operation. Additionally, team members provided confirmation of death in a number of cases, thus allowing the Commission to dispose of the warrants for those offenders and close interest in their cases. To date, 100+ warrants have been cleared as a result of OJO.
- The OCC conducted an in depth, thorough review of all inmates reported by the Department of Corrections as being parole eligible. The review process revealed a need for updating and cleaning up of the coding in the Corrections Data Center (CDC) and refining the logic on how data on the parole eligible population is extracted. At the conclusion of the project, the OCC was able to report with great confidence that there are precisely 4,626 inmates still incarcerated in Florida who are parole eligible.

### Office of the Commission Clerk

---

The number of cases docketed included:\*

- Parole - 130 (3 granted, 3 denied)
- Conditional Medical - 2 (0 granted, 2 denied, 0 deceased prior)
- Conditional Release - 333
- Addiction Recovery Supervision - 87
- Total - 552

*\* Individual cases may be docketed multiple times throughout the year; therefore, docketed case totals may be higher than actual case totals.*

Imaging Inmate Records (IRIS): 2,782

### Revocations

---

- Warrants Issued - 199
- Cases Reviewed and Prepared for Docket - 164\*

## Victims' Services

- Victims' requests for information on parole, conditional release, and conditional medical cases - 305
- Victims Located - 77
- Status updates to victims on parole, conditional medical and clemency cases – 454
- Assisted victims who attended parole or clemency hearings – 53

## Field Services

### Field Services' Statewide Activity Totals

- Monthly Interviews and Hearings Conducted:
- Parole Interviews - 76
- Revocation Interviews - 228
- Revocation Hearings - 67
- Total Interviews and Hearings for the Month - 371

REGION	I	II	III	IV	V
COURTESY INTERSTATE COMPACT TASKS	2	5	0	1	1
PENDING CLEMENCY CASES	With Hearing: 591 W/o a Hearing: 20 Total Cases: 611	With Hearing: 852 W/o a Hearing: 22 Total Cases: 874	With Hearing: 914 W/o a Hearing: 13 Total Cases: 927	With Hearing: 2,103 W/o a Hearing: 54 Total Cases: 2,157	With Hearing: 1,126 W/o a Hearing: 27 Total Cases: 1,153

## Division of Administration

*The Division of Administration provides administrative support to the Commission's Central Office and 12 field offices. Administration includes Human Resources, Finance and Accounting, Purchasing, Safety, Grants, Contracts, Inventory, Emergency Management and General Services.*

### Accomplishments: October 2014

- Drafted and posted the Legislative Budget Request
- FCOR achieved 99% prompt payment compliance.
- Submitted 23 requisitions, 8 Security request, 12 revisions to the website, approved 136 invoices and approved 22 purchase request.

## Office of General Counsel

*The Office of the General Counsel is charged with successfully prevailing on litigation filed against the Commission; providing quality legal advice and representation in a prompt manner; and engaging in proactive legal counseling to prevent unnecessary litigation in the future.*

### Accomplishments: October 2014

- Watkins v. Florida: In this case, the agency never filed any documents with the court, but the court noted that the documents the inmate filed in support of his petition appeared to not belong to him and, possibly, were an attempt to defraud the court. The court denied habeas relief and advised the Department of Corrections to look in to the matter.
- Ascencio v. FPC: The parole-eligible inmate in this case filed a petition challenging the statutory existence of the Commission in 1941 and the law reducing the members of the Commission from 7 to, eventually, 3 members in 1996. The court rejected the challenges noting that the statutory changes properly followed all the requirements to become law.
- Young v. FPC: This petition challenged the Commission's denial of a public records request for confidential victim information, that the inmate was eligible for parole and, alternatively, that the PPRD was not properly calculated. The court noted that the conviction was for a capital felony and not a life felony, and the matter was already resolved against the petitioner in prior litigation; he was, therefore, eligible for parole. Next the court upheld the PPRD calculation, including the familial aggravation since the inmate lived as if a family member with the victim, his "brother-in-law's stepdaughter," at the time of the crime. Lastly, the court upheld the denial of the inmate's public records request for the confidential victim information and that the inmate had no right to a special interview.
- Johnson v. FCOR: This case is representative of several challenges we are currently receiving from inmates regarding the Commission's authority to suspend a PPRD under § 947.18, F.S. The court rejected the challenge in this case noting that the Commission complied with § 947.18, F.S., by conducting a complete review and by explicating its reasons for failing to find a reasonable probability of positive parole prognosis.

### Office of Legislative Affairs

*The Office of Legislative Affairs is charged with directing and overseeing the Commission's legislative program as the agency's chief legislative advocate.*

### Accomplishments: October 2014

- Presented an update on the Office of Legislative Affairs goals at the chair's semi-annual Goals and Strategies Meeting.
- Attended the Governor's Office Legislative Affairs Directors Meeting.
- Attended a meeting with members of senior leadership to discuss elder inmates.
- Conducted ongoing legislative constituent relations regarding various Commission functions.

### Office of Communications

*The Office of Communications is charged with overseeing the agency's communications and public information program.*

### Accomplishments: October 2014

- Presented an update on the Office of Communications goals at the chair's semi-annual Goals and Strategies Meeting.
- Provided press materials and media relations for the Tampa, Florida out of town hearings.
- Attended a Florida Public Relations Association monthly luncheon.
- Attended the Governor's Office Communications Directors Meeting.

## Office of Executive Clemency

*The Office of Executive Clemency (OEC) reports directly to the Governor and Cabinet who sit as the Clemency Board in the performance of their duties and responsibilities. This office is responsible for coordinating all clemency meetings, referring applications for investigation and serves as the official custodian of all clemency records.*

### Accomplishments: October 2014

- October includes another major accomplishment in the Office of Executive Clemency regarding the processing of Requests for Review (Commutation of Sentence) applications. This month staff completed screening all pending applications and forwarded the eligible applications to the next step of the process, the investigative phase in the Office of Clemency Investigations. With this being completed, staff will be able to provide a quick response to the applicants regarding their eligibility. Staff will now assist Clemency Investigations with clerical entries for the required investigative report.
- Select staff will work a flexible schedule to be able to answer calls until 7:00 p.m. several days prior to the election on Nov. 4th. Staff will also work this same flexible schedule for the two days subsequent to the election to provide assistance to the Supervisors of Elections.

#### Webpage Statistics

- <https://FPC.state.fl.us> has received 1,414,924 hits with 1,041,335 searches for Restoration of Civil Rights (RCR) grants.
- 117,036 names were located and 73,130 certificates have been printed.
- Currently 376,151 RCR certificates available for printing through the [www.FLrestoremyrights.com](http://www.FLrestoremyrights.com) website.

## Office of Clemency Investigations

*The Office of Clemency Investigations is charged with investigating, reviewing, evaluating, and reporting to the Clemency Board in all types of clemency cases, including, but not limited to, the restoration of civil rights, restoration of alien status under Florida law, full pardons, firearm authority, commutations of sentence, remission of fines, and capital punishment cases.*

### Accomplishments: October 2014

- Effective October 1, 2014, we welcomed Commission employees Jamil Jefferson, Wendy Schulte, and Carol Hargraves as they have joined our office in new capacities as Commission Investigators to research and investigate capital punishment clemency cases.
- On October 9, 2014, all Commission Investigators in our office attended a two hour training on the Florida Department of Corrections' Court Ordered Payment System (COPS). This training was presented by Toye Richard, Correctional Services Asst Consultant, and covered detailed information regarding general practices, database screens, and other issues related to restitution payments by offenders.
- On October 9, 2014, the Director of Clemency Investigations provided training to the Regional Administrators and Supervisors during a conference call to include procedures related to clemency investigations.
- On October 10, 2014, the Director of Clemency Investigations joined the FCOR Leadership Team for a Follow-up Session on Strategy and Goal Setting for 2014. Updates on the progress and/or completion of goals for each office were provided, and plans for the next quarter were discussed.
- On October 29, 2014, Commission Investigator Jamil Jefferson joined several other FCOR members in representing the Commission at the Florida State University's College of Criminology and Criminal Justice Fall Internship Fair in Tallahassee, Florida. They had an information table with Commission pamphlets, flyers, and brochures, and answered questions regarding internship opportunities with the Commission and educated students to the mission and functions of the Commission.
- On October 30, 2014, Commission Investigator Caroline Goodner provided a two hour teleconference training to the Region 1 Milton and Quincy field offices. She covered procedures related to conducting Restoration of Civil Rights Without a Hearing investigations and proper formatting of the Confidential Case Analyses.