



# FLORIDA COMMISSION ON OFFENDER REVIEW

(formerly Florida Parole Commission)

SERVING THE CITIZENS OF FLORIDA SINCE 1941

*Monthly Accomplishments Report – June 2015*

## Chair's Message

*Tena M. Pate*

This month the Florida Legislature reconvened on June 1st for a Special Session to finalize the upcoming 2015-16 fiscal year budget which had not been completed by the end of regular session in May. Signed into law by Governor Scott on June 23rd, the Commission received full funding for our base budget as well as additional funding for Information Technology services and the administration of capital cases.

The Commission proudly hosted a week-long facilitator training program earlier this month in preparation for the first state agency-led Victim Offender Dialogue (VOD) program in Florida. Attendees of the program included victim advocates from various public safety state agencies who received training on the extensive processes required to prepare both the crime victim and offender for a one time face-to-face meeting. In partnership with the Department of Corrections, the trainees also visited Wakulla C.I.

Led by General Counsel Sarah Rumph, the Commission's legal team secured a big victory in the federal case of Jones vs. State of Florida Parole Commission this month which challenged the Commission's authority to impose the extended intervals of five to seven years when scheduling subsequent parole interviews for offenders. The 11th Circuit Court of Appeals ruled to uphold the Commission's authority and published their opinion, which made it a binding law in Florida and possibly other states within the federal 11th Circuit as well.

FCOR's leadership team came together for the second Goals and Strategies meeting of the year to provide updates on the progress that has been made thus far on the agency's overall goals, as well as their own departmental goals. Some of the agency-wide goals for 2015 include creating a digital team directory, redesigning the agency intranet site, updating Commission procedure directives and completing the Commission Management System (CMS). The meeting was also briefly attended by Governor Scott's current and incoming clemency aides, Thomas 'Bo' Winokur and John "Jack" Heekin. Mr. Winokur has served as the Assistant General Counsel and Clemency Aide for the Executive Office of the Governor since 2011 and was recently appointed to the First District Court of Appeal. Mr. Heekin currently serves in the Governor's office and will fully assume the clemency aide responsibilities in the coming weeks.

The Commission also participated in the year's second quarterly clemency hearing of the Executive Board of Clemency, which is comprised of the Governor and Cabinet. During the hearing we were able to utilize the newly designed computer program which allows Commission staff the ability to view all clemency case files digitally and eliminates the need to transport and reference physical case files at hearings. Eighty-three cases were investigated and placed before the Clemency Board for consideration.

As is our annual tradition, Central Office and Region I staff gathered under the oaks to enjoy a picnic style lunch and each other's company in celebration of summer. The Activities Committee did an excellent job with the event which was enjoyed by all in attendance.

In closing, I am continually impressed by the excellent service our agency provides to the citizens and visitors of our state to ensure public safety and I invite you to continue reading to learn more about the advancements made during the month of June.

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.*

Operations has been busy in June providing final numbers for the auditors, who moved out of their temporary space in Central Office this month and are winding up their requests from us. It will be a few months before we see their final report.

It was nice to have a breather and visit with staff during our annual summer picnic, where Personnel Director Jennifer Boswell took first place in the dessert competition with her delicious pina colada cake. In addition to our regular monthly clemency call and Operations conference call, we also had an APAI Programming Committee Meeting and a Goals and Strategies meeting this month, where we provided updates on our Operations goals ranging from the Gadsden Reentry project to our Mnemonics Project and the launch of our FCOR Staff Lookup/Team Directory feature, which can be accessed at <http://fpcnetvm/Personnel/default.aspx>. Special thanks to Jeff Rigdon, Robby Holroyd, Ahmad Ferguson and Tony Sullivan for making this useful tool a reality for us.

We are also in the process of creating a Comment code (84) for the OT11 parole screen so we won't have to use the RA06 screen instead. We are also creating a unique code to identify Conditional Releasees who have been through our 18-month Re-Entry Center interviews so we can track their success. Next, we'll be preparing for the August out-of-town vote, slated for Pinellas County on August 27th and 28th.

### Accomplishments: June 2015

#### Office of the Commission Clerk

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The number of cases docketed included: 951

- Parole – 112 (3 granted, 2 denied)
- Conditional Medical -6 (3 granted, 2 denied, 1 continued)
- Conditional Release - 674
- Addiction Recovery Supervision - 159

#### Revocations

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- Warrants Issued - 227
- Cases Reviewed and Prepared for Docket - 173\*

*\*Includes parole, conditional release, addiction recovery release, and conditional medical release and control release cases.*

#### Victims' Services

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- Victims' requests for information on parole, conditional release, and conditional medical cases - 234

## Monthly Accomplishments Report

- Victims Located - 46
- Status updates to victims on parole, conditional medical and clemency cases – 355
- Assisted victims who attended parole or clemency hearings - 36

## Field Services

Field Services' Statewide Activity Totals / Monthly Interviews and Hearings Conducted:

- Parole Interviews - 53
- Revocation Interviews - 251
- Revocation Hearings - 71
- Total Interviews and Hearings for the Month - 376

REGION	I	II	III	IV	V
COURTESY INTERSTATE COMPACT TASKS	4	5	4	3	5
PENDING CLEMENCY CASES	With Hearing: 469 W/o a Hearing: 4 Total Cases: 473	With Hearing: 839 W/o a Hearing: 12 Total Cases: 851	With Hearing: 828 W/o a Hearing: 10 Total Cases: 838	With Hearing: 1,652 W/o a Hearing: 25 Total Cases: 1,677	With Hearing: 1,097 W/o a Hearing: 12 Total Cases: 1,109

## 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: June 2015

- FCOR achieved 100% prompt payment compliance.
- Submitted 70 requisitions, 31 purchases, 18 Security request, 4 revisions to the website, 21 invoices, 134 inner office requests and made 20 deliveries.
- Responded to Auditor General Auditor's request.
- Coordinated the installation of 15 new cubes with the installation crew, supervisors, staff, DC OIT with data ports and phone lines installed and programmed for timely delivery.
- Presented Administration Goals & Strategies accomplishments.
- Prepared Safety article for new letter and distributed Wellness information
- Working on the Object Code Conversion project.
- Submitted Banking Relationship Survey, Amended 9 Contracts in Facts, Signed up with E-Verify, submitted MOU to VOCA and provided notified of Employee Performance Evaluation Timeline.

## 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: June 2015

- Legal has completed over 36 court actions (including responses, briefs and motions)!
- Orders from the month include:
  - **Malone v. Commission:** this inmate was challenging the decision of the agency to make no change to his presumptive parole release date at his last subsequent interview, in spite of the investigator's recommendation of a reduction. He argued that the Commission could not reject the recommendation without competent and persuasive evidence and he contended that the Commission could not continue to rely on the seriousness of the offense. The court upheld the decision based on the determination by the Commission that no information was gathered or presented which warranted an adjustment to the date.
  - (In honor of the Clemency Meeting today) **Manker v. Office of Executive Clemency:** This inmate was challenging the decision of the Office of Executive Clemency that he was not eligible to apply for a commutation of his sentence under the Rules. The Court dismissed the challenge to the Office's decision based on clemency being exclusively an executive function.
- The rules committee is in full swing. If you have a question on the progress or the considerations of the committee, let us know.

### Office of Legislative Affairs

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

### Accomplishments: June 2015

- Monitored FCOR budget during the 2015 Special Session which ran from June 1st through June 19th.
- Updated leadership and staff on events during the 2015 Special Session.
- Met with legislators and staff to discuss proposed Commission legislation and budget.
- Attended Executive Office of the Governor Legislative Affairs Director's Meetings.
- 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: June 2015

- Pitched Victim Offender Dialogue facilitator training story to targeted media and coordinated messaging and media coverage.
- Prepared talking points for Chair Pate's Women Facing the Future presentation at Wakulla Correctional Institution.
- Distributed June Employee Newsletter.
- Participated in Office of Victims of Crime's "Balancing Collaboration, Confidentiality, and Privilege in Human Trafficking Cases" webinar.
- Updated Leadership Team on progress of 2015 goals at the Goals and Strategies Meeting.
- Provided media relations for the Executive Clemency Board Meeting.
- Updated all Communications materials completing the FPC to FCOR name transition (including website content and downloads agency PowerPoint presentation, letterhead, and staff usage guidelines).
- Completed Clemency Action Report and prepared for distribution.
- Continued layout and design of FCOR Intranet site.

## 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: June 2015

- The Office of Executive Clemency participated in the second clemency meeting of 2015. On June 24, 2015, the Executive Clemency Board met at the Capitol and heard clemency cases. Of the 81 cases on the agenda, 39 applicants appeared personally or were represented before the Board. There were 11 pardons, 23 Restoration of Civil Rights requests, one Remission of Fine, six (6) Continued and nine (9) placed Under advisement.
- Staff continues to work diligently to process as many applications for clemency as possible and notify applicants of their eligibility status.

#### Webpage Statistics

- <https://FCOR.state.fl.us> has received 3,974,058 hits with 1,106,369 searches for Restoration of Civil Rights (RCR) grants.
- 126,904 names were located and 77,419 certificates have been printed.
- Currently 376,597 RCR certificates are 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: June 2015

- On June 3 & 10, 2015, Commission Investigators Brandy Fortune-Berman and Caroline Goodner assisted Lori VanCamp, Patti Razor, and Helen Williams from Region 5 in providing full days of training related to clemency investigations for the Region 3 & 4 field offices.
- On June 11, 2015, training was provided to the Regional Administrators and Supervisors during a conference call to include procedures related to clemency investigations.
- On June 16, 2015, Lacey Marx was hired as a full-time OPS Specialist to split duties between capital clemency cases and general clemency cases.
- On June 24, 2015, the Governor and Cabinet, sitting collectively as the Clemency Board, held its second quarterly Clemency Board Meeting. The Commission completed and submitted 81 in-depth clemency investigations for consideration by the Board. The Chair provided detailed information related to the Confidential Case Analyses and processes to the Board Members in response to their inquiries, and we successfully initiated the use of laptops with scanned clemency case files instead of hard copy files. In addition, this office researched the specific reasons why the 54 RCR applicants were requesting their rights. Several applicants indicated multiple reasons in their statements, and the following information is a brief summary of what our research revealed:
  - 85% of the applicants specifically indicated that they were interested in regaining their right to vote, sit on a jury or hold public office.
  - 41% 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.
  - 6% of the applicants did not provide any specific reason for requesting their civil rights.
  - In addition, 20% of the applicants voted in an election without having their civil rights restored.