



FLORIDA COMMISSION ON OFFENDER REVIEW

(formerly Florida Parole Commission)

SERVING THE CITIZENS OF FLORIDA SINCE 1941

Monthly Accomplishments Report – March 2015

Chair's Message

Tena M. Pate

The beginning of legislative session always brings a renewed outlook for our agency and is a time when we get to advance our mission with new opportunities and provide continued education to lawmakers on the vital role we play in Florida's public safety arena. In addition to advancing our own legislation and budget priorities this session, we are supporting our newest appointee Commissioner Richard Davison as he progresses through the confirmation process. Commissioner Davison has already received unanimous approval by the Senate Criminal Justice committee and is waiting to appear before the Senate Ethics and Elections committee. Upon approval from both committees, his confirmation will go to a final vote on the Senate floor.

In addition to session beginning this month, we also participated in the year's first quarterly clemency hearing of the Executive Board of Clemency, which is comprised of the Governor and Cabinet. Seventy-five cases were investigated and placed before the Clemency Board for consideration.

The Commission's leadership team met early this month for our annual goal setting session. This year we are adding another element to the process and in addition to setting individual goals for each unit we are also coordinating our efforts as a team to identify and accomplish over-arching projects that will benefit the agency as whole. Led by Chief of Staff Shana Lasseter, we will undoubtedly make some significant strides this year.

In observance of Women's History Month, I had the privilege to speak at the Wakulla Correctional Institution's National Women's History Month celebration on the theme Weaving the Stories of Women's Lives. Speaking to women about reaching their potential in life is a passion of mine and I am greatly honored each and every time I am able to do so.

Our FCOR Training Team was recognized at the Prudential Productivity Awards ceremony this month for their work in creating practical trainings at little or no cost to the Commission by utilizing the skills and talents of our own employees to train others, collaborating and partnering on relevant training topics offered by other agencies when they had available space and offering webinars and online trainings. As a result of this innovative training program, Commission staff completed 230 training hours at no cost in FY 2013-14, which resulted in total cost savings of \$36,800.

Lastly, this month I issued a challenge to staff members to be a "difference maker" or "change agent" in the lives of others by investing in them and meeting the needs of someone who could use a helping hand. The premise was to forget about setting out to do something great and instead resolve to do some good. I am steadily receiving updates about the ways we are all making a positive impact in other's lives and I look forward to sharing them in our next newsletter.

As we forge onward through the last month of legislative session let us keep our steady pace and strong resolve to make April another great month. I invite you to continue reading this report to learn more about the Commission's accomplishments during the month of March.

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: March 2015

March brought with it the end of an era, as our own Nancy Lockwood retired after 38 years of dedicated service to the state of Florida and to the Commission. Nancy was Region 2 Administrator Mills Rowland's Staff Assistant, and he noted that Nancy had a way of making us all look good. Her willingness to tackle any problem with a can-do approach and good humor made her a pleasure to work with, and she was the consummate professional. We'll miss her, and wish her the best in her well-earned retirement.

We're barely into the new year and already we're shaking things up with some growth opportunities for staff. Several employees in Central Office have embraced the chance to cross train and trade sections to get more in-depth knowledge of different areas of FCOR to assist in their personal and professional growth. These changes not only create more well-rounded, experienced employees, but they make us a better agency.

The auditors for the Auditor General's Office have moved into our building at Southwood and are hard at work gathering information and databases, and assessing our programs. They are looking at revocations, our supervision populations, personnel and administration during this audit, and we'll continue to work closely with them as their audit progresses. It is expected to last for several months.

Office of the Commission Clerk

The number of cases docketed included: 825

- Parole – 103 (3 granted, 1 denied)
- Conditional Medical - 4 (0 granted, 4 denied)
- Conditional Release - 632
- Addiction Recovery Supervision - 86

Revocations

- Warrants Issued - 214
- Cases Reviewed and Prepared for Docket - 134*

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

Victims' Services

- Victims' requests for information on parole, conditional release, and conditional medical cases - 235
- Victims Located - 110
- Status updates to victims on parole, conditional medical and clemency cases – 464
- Assisted victims who attended parole or clemency hearings – 26

Field Services

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

- Parole Interviews - 83
- Revocation Interviews - 203
- Revocation Hearings - 61

Monthly Accomplishments Report

- Total Interviews and Hearings for the Month - 347

REGION	I	II	III	IV	V
COURTESY INTERSTATE COMPACT TASKS	0	3	5	1	2
PENDING CLEMENCY CASES	With Hearing: 499 W/o a Hearing: 5 Total Cases: 504	With Hearing: 862 W/o a Hearing: 13 Total Cases: 875	With Hearing: 875 W/o a Hearing: 4 Total Cases: 879	With Hearing: 1,758 W/o a Hearing: 19 Total Cases: 1,777	With Hearing: 1,164 W/o a Hearing: 25 Total Cases: 1,189

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: March 2015

- FCOR achieved 100% prompt payment compliance.
- Submitted 29 requisitions, 16 Security request, 7 revisions to the website, 125 invoices and made 48 deliveries.
- Provided DMS with the SOLARIS report.
- Responded to Auditor General auditors request.
- Submitted to DFS Purchasing Card procedure directive and Management Representative letter and Access Control letter.
- Assisted with Bill analysis.
- Set Administration Goals.

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: March 2015

- Stallings v. State of Florida, et al.:** In this case, the parole-eligible inmate challenged the Commission's decisions to not parole him through a state civil rights complaint, contending that it violated his constitutional rights for due process and to be free from cruel and unusual punishment. He also based his arguments on the juvenile court rulings of Graham and Miller. The court held that the Plaintiff was not entitled to any declaratory or injunctive relief. The law is clear that a decision to not parole does not violate his constitutional rights and the decisions in Graham and Miller do not change this determination.
- Eason v. FCOR:** This petition challenged the Commission's findings that the releasee willfully and substantially violated conditional release supervision. However, instead of seeking immediate release from incarceration, the releasee was instead seeking a more definite finding of willfulness and substantiality, claiming that the investigator did not make such a finding based on sufficient evidence. The court rejected this argument, noting the circumstances of the violation that the releasee had contact with a minor, in violation of his conditions, and that the investigator did make the clear finding that such contact was willful and was substantial.

- **Fair v. FCOR:** In this parole case, the inmate challenged the extension of his PPRD by the Commission based on his unsatisfactory institutional conduct. The court rejected the claims that the Commission should have considered his positive program completion instead of focusing only on his disciplinary conduct and that the Commission should not have used the same reason to set off his subsequent interview for an extended date. It also rejected the challenges to the Commission's decision based on the inmate's constitutional issues.

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: March 2015

- Attended the opening of the 2015 Florida Legislative Session.
- Attended appropriate House and Senate committee meetings.
- Attended Executive Office of the Governor Legislative Affairs Director's Meetings.
- Met with various legislators and staff to discuss proposed Commission legislation.
- Presented Legislative Affairs initiatives at the annual Goals and Strategies Meeting.
- Assisted in planning and preparing for National Crime Victims' Rights Week in April.
- 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: March 2015

- Finalized planning for National Crime Victims' Rights Week in April.
- Distributed the FCOR March Employee Newsletter.
- Prepared data research tool in advance of FCOR intranet redesign.
- Presented Communications 2015 initiatives at the annual Goals and Strategies Meeting.
- Provided media relations for weekly parole hearings and Executive Clemency Board Meeting.
- Attended the Prudential Productivity Awards Ceremony.
- Participated in "What Are You Forgetting in Your Government Social Media Policy?" webinar.
- Participated in "Library Services for State Agency Employees," webinar hosted by the State Library of Florida.

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: March 2015

- The Office of Executive Clemency participated in the first clemency meeting of 2015. On March 25, 2015, the Executive Clemency Board met at the Capitol and heard 75 clemency cases. Of the 75 cases on the agenda, 34 applicants appeared personally or were represented before the Board. There were 12 pardons, 1 firearm authority, 14 Restoration of Civil Rights requests granted as well as two RCR With Conditions, and one Restoration of Alien Status with conditions. Eleven cases were continued and four cases were placed under advisement.
- Several staff members in this office are receiving a refresher course on the subject of restitution via the tutelage of Fernando Sanchez with the Office of Clemency Investigations. Our office has added the subject of restitution

to the initial screening process. This will provide applicants who owe restitution to resolve the issue early in the application process.

Webpage Statistics

- <https://FCOR.state.fl.us> has received 1,489,772 hits with 1,083,809 searches for Restoration of Civil Rights (RCR) grants.
- 123,402 names were located and 75,875 certificates have been printed.
- Currently 376,449 RCR certificates are available for printing through the 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: March 2015

- Prepared investigations for the March Clemency Board Meeting, conducted investigations on capital punishment clemency cases and Requests for Review for Commutation of Sentence cases, conducted quality assurance reviews of all field investigations, provided customer service to clemency applicants, and assisted in the development of clemency data requests.
- On March 9, 2015, the Director of Clemency Investigations met with Chair Pate and the Leadership Team for an agency-wide Strategy and Goal Setting Session for 2015.
- On March 11, 2015, the Office of Clemency Investigations provided clemency training on capital punishment field investigations to the Regional Administrators, Supervisors, and several Investigators during the monthly clemency conference call.
- On March 25, 2015, the Governor and Cabinet, sitting collectively as the Clemency Board, held its first quarterly Clemency Board Meeting at the Capitol. The Commission completed and submitted 75 in-depth clemency investigations for Full Pardons, Firearm Authority and Restoration of Civil Rights (RCR) 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 the 43 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:
 1. 86% of the applicants specifically indicated that they were interested in regaining their right to vote, sit on a jury or hold public office.
 2. 21% 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.
 3. 7% of the applicants did not provide any specific reason for requesting their civil rights.
 4. In addition, 23% of the applicants voted in an election without having their civil rights restored.
- On March 31, 2015, the Offices of Executive Clemency and Clemency Investigations held a joint staff meeting to share information between the two offices and exchange ideas on how to continue to look for ways to improve the efficiency of the clemency processes.