

FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

COMMISSIONERS

Tena M. Pate
Chair

Bernard R. Cohen, Sr.
Vice Chair

Melinda N. Coonrod
Secretary

ANNUAL REPORT 2011-2012

OUR MISSION

*To ensure public
safety and provide
victim assistance
through the
post prison
release process*

Tena M. Pate, Chair

4070 Esplanade Way
Tallahassee, FL 32399-2450

Table of Contents

MISSION STATEMENT	3
FLORIDA BOARD OF EXECUTIVE CLEMENCY	3
CHAIR'S MESSAGE	4
COMMISSIONERS' VITAE.....	6
FPC EMPLOYEES RECOGNIZED FOR EXCELLENCE	11
2012 APAI CONFERENCE HIGHLIGHTS	13
FACTS ABOUT THE COMMISSION	14
YEAR IN SUMMARY: Performance Measures	16
COMMISSION WORKLOAD	17
YEAR IN SUMMARY: Statistics.....	18
PROGRAM COMPONENTS	19
DIVISIONS AND OFFICES	
Division of Operations	24
Commission Clerk.....	26
Revocations.....	28
Victims' Services.....	29
Field Services.....	31
Division of Administrative Services.....	32
Human Resources	33
Accounting and Budgeting.....	34
General Services.....	35
Office of Communications	38
Office of Clemency Investigations	40
Office of Executive Clemency	43
Office of Legislative Affairs	46
Office of the General Counsel.....	48
ORGANIZATIONAL CHART	52
CENTRAL OFFICE DIRECTORY	53
FIELD SERVICES DIRECTORY	54
HISTORY OF THE COMMISSION	55

Mission Statement

To Ensure Public Safety and Provide
Victim Assistance Through the
Post Prison Release Process

GOVERNOR SCOTT AND MEMBERS OF THE FLORIDA CABINET



The Florida Board of Executive Clemency

Rick Scott, Governor
Pam Bondi, Attorney General
Jeff Atwater, Chief Financial Officer
Adam Putnam, Commissioner of Agriculture and Consumer Services

Chair's Message

December 14, 2012

Dear Governor Scott and Members of the Cabinet, President Gaetz, and Speaker Weatherford:

I am pleased to present the Annual Report for the Florida Parole Commission for the reporting period July 1, 2011 through June 30, 2012.

As Commissioner and Chair of the Commission, it is an honor to continue serving the Governor, Members of Florida's Cabinet, and the citizens of Florida in this capacity. I know my colleagues and the Commission's employees to be a hardworking, specialized group of criminal justice professionals who are committed to fulfilling the agency's mission and serving the citizens of this State.

While much has occurred at the Commission this past year, three merit special mention in my opening letter to you. First, there was much interest in the work of the Commission during the early weeks of committee meetings and Session, and on October 4, 2011, I was invited to present before the Senate Criminal Justice Committee about the Commission and its 71-year history of providing for the safety of Florida's citizens, victims' assistance, and providing meaningful re-entry opportunities for offenders to successfully reenter society. The Commission had a successful Legislative Session in 2012 as it enjoyed strong bipartisan support for its issues. We were successful in securing funding for an additional FTE in the Victims' Services section and \$350,000 in OPS recurring general revenue funds earmarked to address the pending Clemency cases, specifically Restoration of Civil Rights (RCR) *Without a Hearing* cases. Additionally, our extended interview proposal received strong bipartisan support from both chambers and unanimously passed the House, but time ran out, and it was not taken up by the Senate prior to Session close. My confirmation for re-appointment was unanimously confirmed by the Senate.

Second, was the appointment of Commissioners Bernard R. Cohen, Sr. in January 2012 and Melinda N. Coonrod in June 2012 to the Commission. Commissioner Cohen was selected to serve the remainder of Commissioner Fred Dunphy's six-year term, through June 30, 2014, and Commissioner Coonrod was selected to serve a full six-year term, replacing Commissioner Monica David, whose second six-year term expired June 30, 2012.

And finally, the Parole Commission served as the official host state for the 28th *Annual Association of Paroling Authorities International (APAI) Training Conference*, held May 20-23, in Orlando, Florida. Eighteen countries and 23 of our United States and the District of Columbia were represented at the 2012 conference.

The new legislative OPS funding has permitted the Commission to steadily decrease the pending number of RCR Without a Hearing cases. OPS staff was hired to screen applications and conduct the appropriate investigations. We continue to strive to reduce the number of pending RCR cases.

At the conclusion of the June 26, 2012 Cabinet meeting, Governor Rick Scott paused to acknowledge the Commission and its employees as being a “hardworking agency whose Chair and staff are always professional and prepared” and who show “compassion for both the victims of crime and the applicants” at its Clemency Board hearings. Attorney General Pam Bondi also responded stating that she has attended the Commission’s parole hearings and knows “personally of the fine work the Commission does.” Their recognition of the work we do is greatly appreciated.

Recently, the Auditor General completed an audit on the Florida Parole Commission. The Commission is pleased to report that there were no audit findings for Payroll, General Expenditure Processes, or for Prior Audit Findings. The Commission is also pleased to report that no errors were found in the Commission’s Restoration of Civil Rights eligibility determinations.

While 2011-12 was also a year of personal and professional accomplishments for me, my greatest joy has come from the daily service to our team of highly dedicated individuals, who come to work day after day to give their best to this state and its citizens. I am simply honored and humbled to be given the chance to serve along side of them. They motivate me each and every day to continue doing what I know it is we need to do on behalf of Florida’s citizens.

You have my assurance that the Commission is working hard to protect Florida’s citizens through its evolved and informed decision-making processes and, when appropriate, providing for the opportunity for the successful re-entry of offenders back into our society. We believe the Commission’s 71 years of service and contributions to this state, positively impacts Florida’s justice and post-incarceration systems, by ensuring public safety and impacting recidivism, thereby reducing the number of victims of crime.

As we approach the 2013 Legislative Session we are committed to bringing only the best ideas forward that will continue to enhance the safety and success of all of Florida’s citizens.

We look forward to working with the Governor, Members of the Cabinet, and the Legislature in 2013 and to continuing a successful partnership with all of our State’s criminal justice stakeholders.

Respectfully,



Tena M. Pate
Chair

Commissioners' Vitae



TENA M. PATE COMMISSIONER CHAIR

A native Floridian born in Fort Walton Beach and raised in Niceville, Florida, Commissioner Pate began her career in criminal justice in 1979 with the Office of State Attorney for the First Judicial Circuit, and later becoming the first person appointed to serve as Victims' Advocate for Okaloosa and Walton Counties. Ms. Pate relocated to Tallahassee to accept a position in the Executive Office of the Governor, where she served for ten years with the exception of a year working in the private sector for the governmental consulting unit of the Tallahassee-based law firm of Steel, Hector, and Davis. In 1993, she accepted the appointment as Florida's Victims' Rights Coordinator in the administration of Governor Lawton Chiles. She served in this capacity until her appointment to the Florida Parole Commission. While in the Governor's office, in addition to her position as the State's Victims' Rights Coordinator, she also served as a clemency assistant and the State Attorney liaison. Ms. Pate was privileged to serve with four of Florida's Governors: Bob Martinez, Lawton Chiles, Buddy MacKay, and Jeb Bush.

Commissioner Pate has a breadth of experience in the Criminal Justice System and holds a Bachelor of Science Degree in Criminology from Florida State University. As a result of her experiences in both the Executive and Judicial branches of government and private sector employment, Ms. Pate was exposed to many aspects of the criminal justice experience gaining insight both in criminal behavior and victim's issues. As Florida's Victims' Rights Coordinator, she sought to strengthen and promote the rights of Florida's crime victims, playing a key role in the passage and implementation of the law requiring courts to inform crime victims of their rights. Also, while Victim's Coordinator, she oversaw the implementation of Governor Bush's *Violence Free Florida!* initiative through the Department of Children and Families for victims of domestic violence and the statewide *Triad* administered by the Department of Elder Affairs, a crime prevention program established to assist Florida's elder citizens.

As Vice-Chair of the State's Self-Inflicted Crimes Task Force, Ms. Pate and members studied the causes of repetitious, self-inflicting criminal behaviors such as illegal drug abuse and prostitution. Ms. Pate also staffed the Capital Cases Task Force, served as an *ad hoc* member of Florida's Missing Children Information Clearinghouse, and served as State Committee Chair for coordinating statewide events to promote Florida's annual observance of National Crime Victims' Rights Week. Ms. Pate co-chaired the statewide working group developing model policies to prevent or address violence in the workplace. As a clemency assistant, she was responsible for reviewing and providing recommendations for gubernatorial action in response

to ex-offenders' requests for a form of clemency. Ms. Pate has also served in the community as a volunteer Guardian Ad Litem.

On July 1, 2010, Commissioner Pate was appointed by Chief Justice Charles T. Canady to serve on the Florida Supreme Court's *Florida Innocence Commission*, a twenty-three member body formed to study cases where an individual was wrongfully incarcerated and provide a report and recommendations to safeguard against such future events. Also, she is currently serving on the Attorney General's Statewide Domestic Violence Fatality Review Team and the Leon County Child Abuse Death Review Team. Commissioner Pate is certified in the Static-99R-Sex Offender Risk Assessment by the Corrections & Community Justice, Justice Institute of British Columbia (2011).

Ms. Pate's professional affiliations include membership in the Association for Paroling Authorities International (APAI) where she serves as Chair of the Victims Committee, and American Probation and Parole Association, Florida Council on Crime and Delinquency, the Florida Police Chiefs Association, the Southern States Correctional Association, and the National Center for Victims of Crime. Ms. Pate is a member of Leadership Florida's *Class XXX*, serves on the Northwest Florida Regional Council for Leadership Florida, is the recipient of the 2011 Distinguished Service Award in Criminal Justice by the Florida Council on Crime and Delinquency - Chapter Two, and the recipient of the Florida Council on Crime and Delinquency's Statewide 2011 Criminal Justice Award for Distinguished Service. She serves as a volunteer in her community with Leon County Special Olympics and Chelsea's House, a program that serves women and children who are at-risk for homelessness; serves as a mentor, and is involved in church leadership.

She was initially appointed to the Florida Parole Commission by Governor Jeb Bush and the Florida Cabinet in 2003 to fill a Commission vacancy ending June 2004. On June 24, 2004, Commissioner Pate was appointed to a full six-year term ending June 2010. In 2010 and 2011 Commissioner Pate was reappointed by Governors Crist and Scott and the Florida Cabinet for a full six-year term ending June 30, 2016. July 29, 2010, Ms. Pate was appointed to serve as Chair of the Commission for a two-year term ending June 30, 2012. She was subsequently appointed to serve a second two-year term as Chair by Governor Rick Scott and members of the Cabinet on June 26, 2012.



MONICA DAVID
COMMISSIONER
VICE CHAIR

Commissioner David's second six-year term ended June 30, 2012. Commissioner David was raised in Bradenton, Florida, where she graduated from Manatee High School. She attended Eastern Kentucky University and graduated with a Bachelor of Science Degree in Corrections and then received her Master of Arts Degree in Criminal Justice from the University of South Florida.

Ms. David began her criminal justice career working for the Department of Corrections as a Correctional Officer in a work release center. While at the center she was promoted to the position of Institutional Vocational Counselor. As Institutional Vocational Counselor she was responsible for inmate employment in the community. Commissioner David started her work in Probation and Parole as a Correctional Probation Officer where she served as a field officer for over seven years before being promoted to a Correctional Probation Supervisor. Commissioner David also worked as a Correctional Programs Administrator where she was responsible for specialized cases including post release, community control, conditional release, parole, drug offender probation, sex offenders, sexual predators, and high risk/high profile cases.

In 1994, with the creation of the new Department of Juvenile Justice, Commissioner David received juvenile corrections experience by working with juvenile detention and home detention programs. She was subsequently promoted to provide specialized technical assistance to juvenile commitment programs and their staff.

Commissioner David left the Department of Juvenile Justice when she was appointed the Victims' Services Release Administrator for the Florida Parole Commission. On October 2, 2000, the Governor and Cabinet appointed Commissioner David to a 6-year term as a Florida Parole Commissioner where she has served as the Commission Chair, Vice Chair, and Secretary. On May 31, 2006, the Governor and Cabinet reappointed Commissioner David to a second six-year term to begin July 1, 2006 and ending June 30, 2012.

Commissioner David has received extensive training in the criminal justice field which includes Correctional Officer and Correctional Probation Officer certifications. She is also a Florida Department of Law Enforcement (FDLE) certified instructor. She is a member of the Florida Council on Crime and Delinquency (FCCD) where she was awarded the "Distinguished Service Award" in the area of criminal justice. In August 2002, while serving as President of the local chapter of FCCD, she received the "Chapter Effectiveness" Award in recognition of her exemplary leadership. She has served on the State Board as Secretary and Treasurer.

Ms. David's other professional affiliations include the Association of Paroling Authorities International, the Florida Sheriffs Association, and the Florida Police Chiefs Association. She was appointed to serve on Governor Bush's Ex-offender Task force and served as a representative of the Association of Paroling Authorities International in the Congress of the American Correctional Association as a Commissioner for Accreditation for a four-year term ending August 2008. She currently serves as a member of the Criminal Justice Advisory Board for Keiser University.



BERNARD R. COHEN, SR.
COMMISSIONER
VICE CHAIR

Bernard R. Cohen, Sr. was born and raised in Gainesville, Florida and began his criminal justice career with one of the largest state agencies in Florida and the fourth largest prison system in the country, the Florida Department of Corrections. During his 33 year tenure with the Department, Mr. Cohen served six agency heads and held a variety of key positions that supported the Department's mission and vision. In 1980, Mr. Cohen moved to Tallahassee Florida to continue his service with the Department in its central office. After his long service with Corrections, Mr. Cohen retired and joined the quasi-public sector as Director of Training and Vice President of Corporate Administration with Citizens Property Insurance Corporation in January, 2007.

A lengthy and varied career in the Florida Department of Corrections along with his education and training has provided Mr. Cohen with extensive criminal justice experience. He received his Bachelor of Arts degree in Psychology from the University of Florida and his Master of Science degree in Criminal Justice from Rollins College. Additionally, he is a graduate of the Senior Leadership Program at the Florida Criminal Justice Executive Institute.

Mr. Cohen held a variety of positions during his years with Corrections including Deputy Assistant Secretary for Education and Job Training, Deputy Director of Program Services, Chief of the Bureaus of Staff Development, and Programs, Assistant to the Secretary, Deputy Circuit Administrator and Inmate Classification Supervisor. In his varied roles, Mr. Cohen had broad responsibility for multi-million dollar budgets, numerous staff, policy development, program planning and has represented the Department Secretary on a variety of boards and commissions.

During his career, Mr. Cohen developed a reputation for being a highly skilled program director and criminal justice executive, overseeing a number of innovative and effective inmate and staff programs and services. He established and managed three corrections academies and developed and implemented computer-based training programs and an organization-wide distance learning network for over 27,000 staff and 90,000 inmates.

Other major accomplishments included overseeing the research and development of a comprehensive interactive instructional inmate transition program. He also negotiated and managed contracts for faith-based transitional housing, substance abuse treatment and community-based programs for released inmates and offenders under community supervision. He negotiated and managed a multimillion dollar grant and contracts for a national inmate educational services program that was licensed to other correctional systems throughout the United States.

Mr. Cohen has been affiliated for a number of years with the Florida Council on Crime and Delinquency, serving as State President, Chapter President and Executive Board Member. In addition to his criminal justice career and professional affiliation, Mr. Cohen has found time to serve his country as a Captain in the United States Army Reserves.



MELINDA N. COONROD
COMMISSIONER
SECRETARY

Melinda N. Coonrod is a lifelong resident of Florida. She was born and raised in Port Charlotte where she graduated from Charlotte High School. In 1987, she received a Bachelor of Science degree from Florida State University's College of Business. In 1991, Mrs. Coonrod received her juris doctor degree from Nova University, Shephard Broad Law Center. While in law school, Mrs. Coonrod was a member of the Moot Court Society, the Nova Law Review, and was President of Phi Delta Phi legal fraternity.

In 1992, Commissioner Coonrod began her criminal justice career working as an assistant state attorney for the Second Judicial Circuit. As a prosecutor with the State Attorney's Office, Commissioner Coonrod handled a diverse set of criminal cases ranging from misdemeanor traffic offenses to first degree felonies and crimes punishable by life in prison. She was the lead prosecutor in over 57 jury trials as well as over 30 non-jury trials.

During her career with the State Attorney's Office, Commissioner Coonrod gained extensive criminal law experience, and became well versed in the Florida criminal justice system. She prosecuted perpetrators of crimes, advocated sentencing of those found guilty, and worked closely with victims and various law enforcement agencies. Mrs. Coonrod was responsible for determining the appropriate resolution of criminal cases, including whether to charge an individual, reduce or dismiss charges, and whether a probationary or prison sentence was appropriate.

Commissioner Coonrod later served as the supervising hearing officer with the Florida Department of Agriculture and Consumer Services, Division of Licensing where she presided over 1400 informal hearings. Her experience also includes working as a court appointed

guardian ad litem, providing training seminars to law enforcement agencies, and teaching graduate and undergraduate courses as an adjunct instructor at Florida State University's College of Criminology and Criminal Justice.

Mrs. Coonrod became a member of the Florida Bar in 1991, and the United States District Court for the Middle District of Florida in 1992. Her professional affiliations also include membership in the American Bar Association, the Florida Council on Crime and Delinquency, the American Correctional Association, and the Florida Sheriffs Association.

FPC Employees Recognized for Excellence

Each June, the Commission honors employees who have displayed exemplary service throughout the year by having the staff nominate employees for special recognition. A Commission "Employee of the Year" is named as well as an "Employee of the Year" for both Central and Field Offices. And, from time to time, the Chair will also select employees for special recognition. On June 20, the Commission held its annual Employee Recognition Ceremonies in the Commission's Hearing Room. Once again, there were several nominations, all very deserving, which made the selection committee's process of narrowing down its recommendations even more difficult. Each nominee brought uniqueness as well as special skill sets for consideration by the selection committee. Chair Pate stated: "In recognizing these outstanding individuals, it also provides me the opportunity again to acknowledge each and every hard-working employee of this agency and to thank you for all the work you do. " The winners for 2012 are as follows:



COMMISSION EMPLOYEE OF THE YEAR

Steve Hebert, Director
Office of Clemency Investigations
Tallahassee Central Office



**FIELD OFFICE
EMPLOYEE OF THE YEAR**

Cynthia Zimmerman
Parole Examiner
Region IV, Broward



**CENTRAL OFFICE
EMPLOYEE OF THE YEAR**

Kim Dickey
Revocations Supervisor
Tallahassee Central Office



SUPERIOR ACHIEVEMENT AWARD

Donald Henry
Parole Examiner
Region IV, Miami



SPECIAL RECOGNITION FOR OUTSTANDING PERFORMANCE

Gina Giacomo, Jane Tillman, Chair Pate, Jack deRemer,
Mary Lynne Petroski, and Sarah Rumph

2012 APAI CONFERENCE HIGHLIGHTS

Association of Paroling Authorities International
28th Annual Training Conference
May 20-23, Orlando, Florida

In 2011, Florida was selected as the Host State for the 28th Annual Training Conference of the Association of Paroling Authorities International (APAI) held May 20-23, 2012 in Orlando, with the Commission designated as the conference's official host agency. The conference proved to be a huge success, and the Florida Parole Commission (FPC) Conference Team did an outstanding job of making the attendees who traveled from across the nation and from around the world feel welcome in Florida.

Chair Pate had the great honor of welcoming APAI's members to Florida. With a worldwide membership of 443 members, the Chairs of parole or releasing authority boards of 18 countries (the provinces or countries of Anguilla, Australia, Bermuda, British Virgin Islands, Cayman Islands, Canada, Hong Kong, Malaysia, Montserrat, New Zealand, South Africa, Tanzania, Turks and Caicos, the United Kingdom, Uganda, and Zambia), 23 of the United States, and the District of Columbia, were represented in Orlando.

This international organization was formed to: sponsor and support research regarding parole practices; develop policy impacting public safety; and educate, discuss, and promote parole practices both nationally and internationally. Conference participants were provided a wide variety of topics and programs and heard how representatives from other states and countries have dealt with criminal justice and corrections policies during the tough economic times. They also shared information on topics related to parole, emerging public safety concerns, balancing the rights of victims and offenders, and research-based parole practices and programs modeling such practices.

As Chair of the APAI Victim's Committee, FPC Chair Tena M. Pate presented the committee's report that included: an acknowledgment of the victim focus of the 2012 conference and a recommendation to the Board to strongly feature victims' issues at future training conferences; an update on the committee's proposal to develop and publish a paper to serve as a model protocol for crime victims' services featuring best program practices; and a recommendation to utilize technology to conduct future meetings.

Jane Tillman, FPC Communications Director and APAI Public Relations and Communications Committee Chair, presented the Board with a summary of the committee's plans to restructure APAI's communications' efforts over a two-year period.

Facts about the Commission

Serves as a Quasi-Judicial Body

The Commission performs a vital role in Florida's criminal justice system by preserving the autonomy needed in post release decisions affecting inmates and ex-offenders. The Commission functions as a quasi-judicial body.

Parole Commissioners preside over approximately 36 meetings annually at the Central Office in Tallahassee and, when funded, various other locations throughout the state, as required by statute. During these public proceedings, the Commissioners make a variety of



determinations regarding parole and other releases. In addition, the Commission reviews releasees' supervision status every two years.

Every parole-eligible inmate has a constitutionally protected right to proper consideration for parole, and these proceedings must be conducted as required by law. Testimony and pertinent information may be provided by representatives of the inmate, the inmate's family, by persons who were victims of the crime, and the victim's family. This proceeding is often the first opportunity for a victim or family member of a victim to provide input in a non-adversarial venue. If parole is granted, the Commissioners will address victim restitution issues as well as special conditions needed to ensure the protection of the citizens in our state. The Commissioners may also hear from law enforcement, state and private attorneys, as well as other interested parties.

During meetings, the Commission also conducts other types of proceedings, such as imposing conditions of conditional release, conditional medical release, or addiction recovery supervision. The Commission makes final determinations with regard to revocation of post release supervision, where a releasee may have violated the conditions of their release. Where the Commission finds the releasee guilty of a willful and substantial violation, the Commission may order the violator returned to state prison to complete service of the original term of imprisonment.

The Commission serves as a cost-saving mechanism for the taxpayers of the State of Florida. The Commission saves taxpayer dollars by conducting revocation hearings for post release supervision violators in informal surroundings conducted before a Parole Examiner, and usually held at a county jail, with witnesses to the violation providing the pertinent testimony. The United States Supreme Court has fully sanctioned the state's use of these less costly proceedings, with limited due process requirements, in the case of *Morrissey v. Brewer*. Probation revocation hearings, by contrast, require that proceedings be conducted in a courtroom before a judge, with an assistant state attorney prosecuting the case, and generally

an appointed public defender representing the probationer, plus all other expenses attendant to a criminal proceeding, at much greater expense to the State.

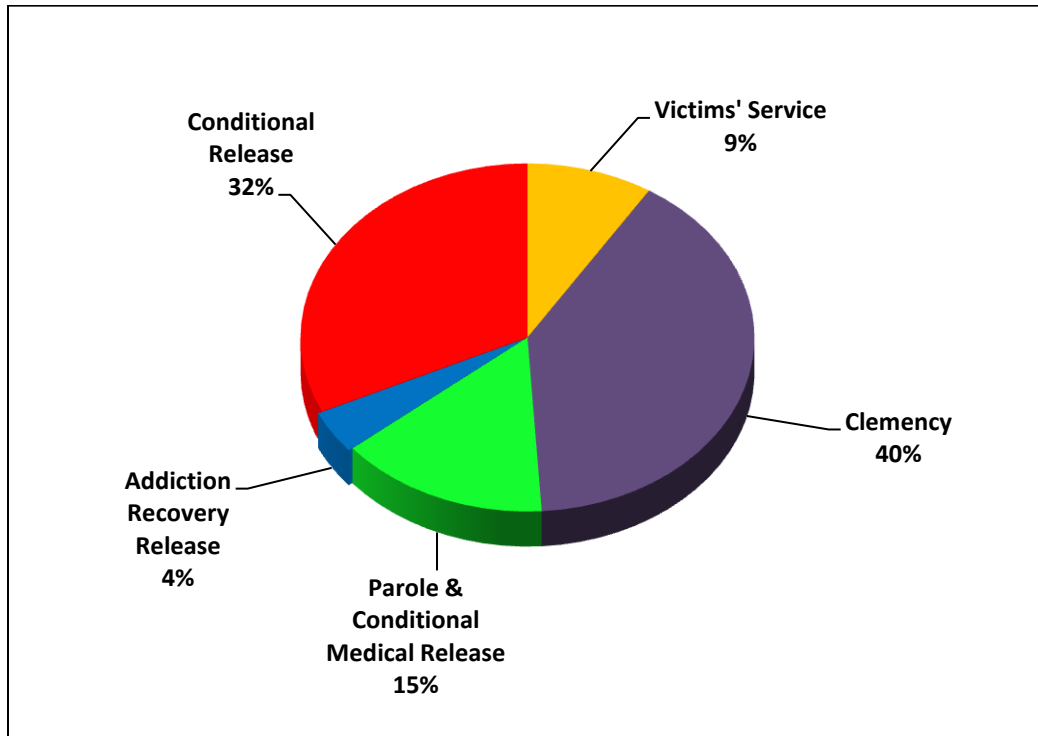
In 2004, the Senate Criminal Justice Committee best summarized the Commission's history and responsibilities by writing that there was "no stable mechanism for managing inmate reentry after the abolition of parole." The report also stated that "prior to 1983, parole was the traditional mechanism for managing an inmate's reentry into the community" and that historically, it was the Commission that ensured an inmate was ready for release, that he or she had a place to live, a job or solid job prospect, and the support of family and friends. Once the inmate was returned to the community, the parole officer monitors that plan while they supervised the parolee.

In 2005, the Legislature ordered an Office of Program Policy and Governmental Accountability (OPPAGA) study of the Commission. The OPPAGA study (OPPAGA Report 2006-15) concluded that "the Parole Commission Operations are consistent with its mission" and stated that "regionalizing the commission's parole determinations function would distribute this workload across the state" but would result in increased overall state costs. OPPAGA found that the Commission is successful in identifying low risk offenders for release.

Year in Summary: Performance Measures FY 2011-12

Number of parolees who have successfully completed their supervision without revocation within the first two years:	34
Percentage of parolees who have successfully completed their supervision without revocation within the first two years:	90%
Percentage of cases placed before the Commission/Clemency Board containing no factual errors:	98%
Percentage of revocation hearings completed within 90 days of final hearing:	99%
Number of conditional release/addiction recovery cases handled:	7,362
Number of revocation determinations:	1,724
Number of clemency cases completed:	73,569
Number of parole release decisions:	1,486
Number of victims assisted:	20,219
Percent of RCR <i>With</i> a Hearing cases provided to the Clemency Board containing no factual errors	99%
Percent of RCR <i>Without</i> a Hearing cases provided to the Clemency Board containing no factual errors	100%

Commission Workload: Hours by Program FY 2011-12



Commission Workload: Hours by Activity FY 2011-12

Activity	Hours	%
Clemency Services	61,452	40%
Parole/Conditional Medical Release	18,409	12%
Conditional Release/Addiction Recovery	12,349	8%
Revocation Services	46,922	31%
Victims	14,037	9%
TOTAL FY 2011-12	153,169	100%

Year in Summary: Statistics FY 2011-12

For FY 2011-12, the Commission took action on 84,141 inmate and ex-offender cases in the clemency and post-conviction processes.

ADDICTION RECOVERY

- 1,365 inmates were placed on Addiction Recovery
- 388 inmates were under Addiction Recovery supervision on June 30, 2012
- 95% of offenders placed on Addiction Recovery successfully completed supervision

CONDITIONAL RELEASE

- 5,094 inmates were placed on Conditional Release supervision
- 3,217 inmates were under Conditional Release supervision on June 30, 2012
- 80% of offenders placed on Conditional Release successfully completed supervision

OFFENDER REVOCATIONS

- 1,724 revocation determinations were made
- 99% of revocation hearings were completed within 90 days of final hearing
- 1,927 warrants were issued

CLEMENCY SERVICES

- 5,781 clemency applications were received
- 28,024 clemency applications were pending on June 30, 2012
- 73,569 clemency applications were closed

PAROLE DETERMINATIONS

- 1,486 parole release decisions were made
- 5,191 inmates were eligible for parole release as of July 3, 2012

- 579 inmates were under parole supervision on June 30, 2012
- 52 inmates were paroled

VICTIMS' SERVICES

- 20,219 assists to victims were provided by the Commission

CONDITIONAL MEDICAL RELEASE

- 34 inmates were referred for Conditional Medical Release
- 16 inmates were placed on Conditional Medical Release
- 93% of offenders placed on Conditional Medical Release successfully completed supervision

Program Components

OVERVIEW

Originally created in 1941 to administer parole, the Commission is a constitutionally authorized decision-making body created by law to administer parole. Article IV, Section 8 of the Florida Constitution, provides that there may be created by law “a parole and probation commission” with the power to supervise persons on probation and grant paroles or conditional releases to persons under sentences for crime (section 20.32, Florida Statutes). Although the Commission no longer supervises persons on probation, the Legislature has added the administration of conditional release, conditional medical release, control release, and addiction recovery supervision to the Commission’s primary duties and responsibilities. The Commission also acts as the *investigative arm* of the Governor and Cabinet, sitting as the Board of Executive Clemency (Board), and provides administrative support in all clemency matters, including the Restoration of Civil Rights (RCR) program.

VICTIMS' SERVICES

Victim assistance is a major tenet of the Commission’s mission and one considered vitally important when serving the public. Article I, Section 16(b) of Florida’s Constitution, and sections 947.06 and 960.001, Florida Statutes, address the need to protect the rights of victims of crime and the need for victims’ input in the criminal justice process. Victims’ Services provides direct, personal assistance to crime victims and their families.

Victims' Services staff strive to further reduce victimization through education and by providing and fostering an environment of compassion, dignity, and respect. They use this platform to make victims and their families aware of their rights and to provide the following services: informing victims of their right to be heard and participate in the parole and clemency processes; educating victims about the parole and clemency processes; providing advance notice to victims of upcoming parole and clemency proceedings; maintaining a separate waiting area for victims; and providing a toll-free telephone number to obtain support or information **(1-855-850-8196)**.

In FY 2011-12, victims' assistance comprised 9% of the Commission's workload hours by program with 20,219 assists made by Central and Field Office staff. On June 30, 2012, there were 28,024 clemency cases pending, with most requiring some type of victim input. Further, there are approximately 5,191 inmates currently parole eligible whose cases will require victim input.

Victim input plays a critical role in helping the Commission to make informed decisions. Having highly trained, professional staff to assist victims of violent crimes ensures that a victim's rights are protected and they are not subjected to further victimization as a result of a parole hearing or clemency hearing.

PAROLE

The Commission administers parole, a discretionary prison release, which allows an inmate who has been granted parole to serve the remainder of his prison sentence outside of the confines of the institution. Once released, the parolee is subject to strict conditions of supervision set by the Commission. The Commission monitors the progress through supervision reviews and conducts revocation hearings when alleged violations are reported. If the parolee is found to have willfully and substantially violated the conditions of his supervision, the Commission may return the parolee to prison.

Parole-eligible inmates are those who committed:

1. a first degree murder, a felony murder, or the crime of making, possessing, throwing, projecting, placing, or discharging a destructive device (or the attempt of) prior to May 25, 1994
2. all other capital felonies prior to October 1, 1995
3. a continuing criminal enterprise (violation of section 893.20, Florida Statutes) prior to June 17, 1993
4. a murder of a law enforcement officer (and other specified officers) prior to January 1, 1990
5. a murder of a justice or judge prior to October 1, 1990
6. any felony prior to October 1, 1983, or those who elected to be sentenced "outside the guidelines" for felonies committed prior to July 1, 1984
7. any habitual offender sentenced prior to October 1, 1988.

The following capital felonies require a minimum of 25 years to be served before becoming parole eligible: sexual battery upon a child less than 12 years old; trafficking in cocaine; trafficking in illegal drugs; and the killing of another by distribution of cocaine or opium or derivatives. Some inmates will not become parole eligible until the year 2020. There are approximately 5,191 inmates who are eligible for parole consideration. On June 30, 2012, there were 579 parolees on supervision. Fifty-two inmates were granted parole in FY 2011-12.

CONDITIONAL MEDICAL RELEASE

In 1992, the Florida Legislature created the *Conditional Medical Release* program (section 947.149, Florida Statutes) which is a discretionary release allowing the Commission to release inmates on supervision who are “terminally ill” or “permanently incapacitated” and who are not a danger to others. The Department of Corrections (Department) is charged with the responsibility of recommending to the Commission cases to be considered for conditional medical release. Upon release, the offender is subject to conditions of supervision set by the Commission. The Commission monitors the offenders’ progress through periodic medical reviews. The supervision can be revoked and the offender returned to prison if the Commission determines that a willful and substantial violation of supervision has occurred or if their medical or physical condition improves. In FY 2011-12 the Commission granted 16 of the 34 inmates recommended by the Department for conditional medical release, or 47%.

CONDITIONAL RELEASE

In 1988, the Florida Legislature created the Conditional Release Program (section 947.1405, Florida Statutes) and placed it under the administration of the Commission. The program is a non-discretionary release program and requires mandatory post-prison supervision for inmates who are sentenced for certain violent crimes and who have served a prior felony commitment at a state or federal correctional institution, or who are sentenced as a habitual offender, violent habitual offender, or sexual predator.

Inmates who are subject to conditional release and have completed their incarceration are placed under supervision for the remainder of their sentence. These offenders are subject to strict conditions of supervision set by the Commission. The Commission monitors their progress through supervision reviews, conducts revocation hearings when violations occur, and takes swift and certain response, up to and including the return to prison when willful and substantial violations occur. On June 30, 2012, there were 3,217 inmates on conditional release supervision, and in FY 2011-12 the Commission set terms and conditions for 5,094 offenders.

ADDICTION RECOVERY SUPERVISION

The Florida Legislature created the Addiction Recovery Supervision Program (section 944.7431, Florida Statutes) in 2001 and placed it under the Commission’s administration. This program requires mandatory post-prison supervision for offenders released from a state correctional facility who are convicted of a crime committed on or after July 1, 2001, and have a history of substance abuse or addiction or have participated in any drug treatment, and have

not been convicted of a disqualifying offense. Upon release, the offender is subject to strict conditions of supervision set by the Commission. The Commission monitors the offender's progress through supervision reviews and conducts revocation hearings when violations occur. If the Commission finds the offender willfully and substantially violated the terms and conditions of supervision, the Commission may return the offender to prison. As of June 30, 2012, there were 388 offenders on addiction recovery supervision.

CONTROL RELEASE

The Florida Legislature created the Control Release Authority (section 947.146, Florida Statutes) in 1989 with the members of the Parole Commission acting as the release authority. When active, Control Release is utilized as a prison population management tool to keep it at less than 99% of the total capacity. Currently, the Commission is not reviewing the inmate population for discretionary release under this authority as there are sufficient prison beds to house the current prison population. Today, a small number of control releasees remain under supervision. The Commission monitors their progress through supervision reviews and conducts revocation hearings when violations occur. This supervision can be revoked and the releasee returned to prison if the Commission finds a willful and substantial violation.

CLEMENCY

The Governor and members of the Cabinet sit as the Board of Executive Clemency; the Commission operates as the administrative and investigative arm of the Board. Clemency is a constitutionally authorized process and the forms of clemency include: a full pardon; pardon without firearm authority; pardon for misdemeanor; commutation of sentence; remission of fines and forfeitures; specific authority to own, possess, or use firearms; restoration of civil rights (RCR) in Florida; restoration of alien status under Florida law; and capital case (death penalty) reviews.

When a person is convicted of a felony, he loses the right to vote, sit on a jury, hold public office, and possess a firearm in Florida. The clemency process administered by the Commission provides the means through which an offender may have some or all of his rights restored. The clemency process also provides a means by which the Board may consider an offender for relief from punishment. Persons seeking or being considered today for clemency relief are either incarcerated, released from a correctional facility, or have completed his term of supervision. An individual may apply for commutation of sentence through a Request for Review as set forth in the Rules of Executive Clemency.

The type of clemency investigation conducted by the Commission primarily depends on the severity and nature of the offense and the form of clemency relief being sought. The Commission's website provides detailed information regarding the list of offenses that determine the processing category. The depth and scope of each investigation vary by type and each type has a different waiting period after completion of sentence.

The Commission conducts comprehensive, confidential investigations for applicants utilizing records and databases of state and federal courts, and multiple criminal justice agencies. These detailed investigations provide a broad picture of the applicant's history and activities, which assist the Board in making informed decisions.

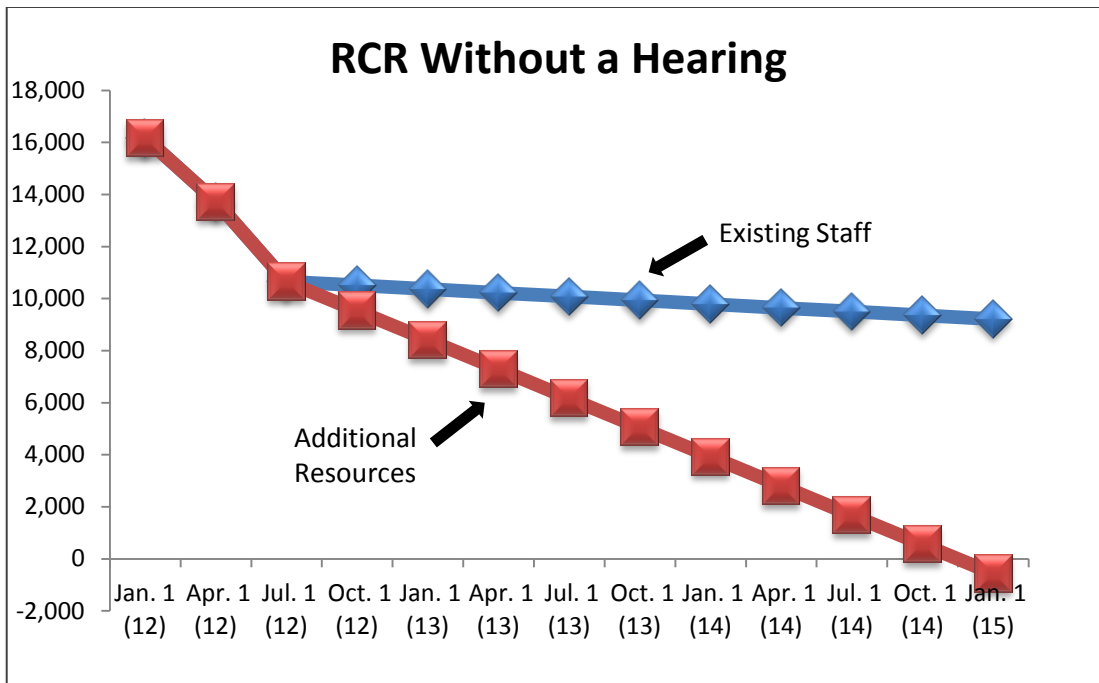
Individuals seeking any form of clemency must start the process by submitting an application and the required court documents to the Office of Executive Clemency (OEC). Detailed Information is available on the clemency public website (<https://fpc.state.fl.us/Clemency.htm>) including application forms and instructional sheets. Individuals may also check this same website to see if their rights have been granted and print a copy of the certificate at any time. When rights are initially granted, a copy of the certificate is mailed to the address on file. If found ineligible, a letter is also sent explaining how the person may proceed. The Commission provides the Board's action to the Florida Department of State on a daily basis so that it may use the information for verification purposes with the Central Voter Registration Database.

On March 9, 2011, the Board amended the Rules which were effective immediately and applied to all pending clemency applications/investigations. These changes resulted in the redesign of the application, related instructional information, and website content. Under the amended Rules, felons seeking to have their rights restored must complete a five (5) or seven (7) year waiting period upon completion of the sentence to become eligible.

There were 28,024 pending clemency cases as of June 30, 2012. RCR *Without a Hearing* investigations require 5.1 hours to complete, RCR *With a Hearing* investigations require 13.8 hours to complete, and full pardons; pardons without firearm authority; pardons for misdemeanor; commutations of sentence; remission of fines and forfeitures; specific authority to own, possess or use firearms; requests for review investigations require 13.8 hours to complete.

In the 2012 legislative session, the Commission received \$350,000 in recurring general revenue OPS funding to complete RCR *Without a Hearing* cases. This is in addition to the 39 FTEs, in whole or part, who complete clemency cases.

With current clemency staffing, plus the \$350,000 funding for full or part-time OPS examiner positions, there should be no pending RCR *Without a Hearing* investigations by FY 2014-15. The Commission will continue to receive approximately 1,339 RCR *Without a Hearing* cases annually. The Commission estimates a total of 21,361 RCR *Without a Hearing* investigations will be completed by FY 2014-15.



Division of Operations



Shana Lasseter
Director

Shana Lasseter was appointed as the Director of Operations for the Commission in August 2012. Ms. Lasseter previously served the Commission’s Revocations Unit since January 5, 2004. She began her career with the Commission as a Revocation Specialist and was subsequently promoted to Revocations Supervisor in December of the same year. Prior to her service with the Commission, Ms. Lasseter’s work in the field of criminal justice included employment as a Probation Officer in the state of Georgia, a Hearing Officer for the Florida Agency for Workforce Innovation, and a Crime Intelligence Technician for the Florida Department of Law Enforcement (FDLE). She is a 1992 graduate of Florida State University where she received a Bachelor of Science Degree in Criminology. Ms. Lasseter is a member of the Florida Council on Crime and Delinquency and Thomasville Road Baptist Church in Tallahassee.

The Division of Operations is the largest unit of the Commission, with 81 positions throughout the State. The Operations Division is comprised of 4 sections: Revocations; Victims’ Services; Office of the Commission Clerk; and Field Services. Twelve field

offices are divided into 5 regional areas across the State with each region staffed by an Administrator who directs the day-to-day activities of the professional and support staff assigned to the offices located within the region.

The Operations' Division 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.

DIVISION OF OPERATIONS ACCOMPLISHMENTS: FY 2011-12

Throughout this report, there are many activities and accomplishments in which employees of the sections within the Division of Operations and the Field Offices participated. The following are just a few of the projects selected for recognition:

STATEWIDE PARTICIPATION IN RE-ENTRY PARTNERSHIP FORUMS

During the latter part of this fiscal year, the Department hosted eight Re-Entry Partnership Public Forums throughout the State. The meetings provided an opportunity to discuss ways in which many groups can work together to facilitate the positive re-entry of offenders back into the community. Commission staff participated in the majority of the meetings across the State by being available to answer questions about the Commission and providing information on the restoration of civil rights to interested parties.

JUNE 2012 COMMISSION MEETINGS: BROWARD COUNTY

In accordance with section 947.06, Florida Statutes, the Commission held meetings in Broward County on June 13 and 14, 2012. Two full dockets were heard. The dockets were comprised primarily of cases from the adjacent counties to allow for greater victim participation and as much public access to these meetings as possible. Commission staff from Region IV did an outstanding job of researching, securing and preparing the location and providing critical assistance to Commissioners and visitors during the meetings. The Commission meetings were well attended and very successful.

In conjunction with the Broward County vote, all 3 Commissioners, along with numerous staff members, visited the FIU Lifers program at Everglades Correctional Institution on June 14, 2012. The inmates in the program, under the guidance of Dr. Regina Shearn, provided a very educational and informative presentation to the Commission which highlighted the wide variety of courses available to them through the FIU program. The Department, the current administration at Everglades CI and Dr. Shearn all have much to be proud of when it comes to the FIU Lifers program.

THE COMMISSION MANAGEMENT SYSTEM (CMS): GOING PAPERLESS

The Commission Management System (CMS), a document management project designed to bring documents from multiple criminal justice databases and hard copy documents into an electronic format and make them accessible on a secure network, was launched this fiscal year and is a high priority for Chair Pate. We are exploring innovative methods of accomplishing our goal of the Commission docketing process to be paperless. Our project team is working closely with the Department's Information Technology staff to ensure full compliance with criminal justice data security requirements and related issues.

PRODUCTION OF INFORMATIONAL DVD

Staff participated in the development and production of an informational DVD about the Commission to be played in both the inmate family waiting room and the victims' waiting room on hearing days. The DVD explains what visitors may expect on hearing days.

COMMISSION NEWSLETTER

The Chair's Office, as part of its teambuilding efforts, created a Commission newsletter, "Parole Guidelines," with Operations, heading up a Newsletter Production Committee. Commission business-related news items, events, and articles, along with significant personal items of interest to Commission employees are included in the quarterly newsletter.

OFFICE OF THE COMMISSION CLERK

Kristin Lambert, Supervisor



Kristen Lambert was appointed as Supervisor of the Office of the Commission Clerk in August 2012. Ms. Lambert's career with the Commission began in October 2007 as a Parole Examiner, a position in which she developed an expertise in determining eligibility for post release supervision. Ms. Lambert is a 2001 graduate of Florida State University, having earned a Bachelor of Science Degree in Psychology with a minor in Criminology. Her supervisory skills and over ten years of experience in the field of criminal justice serve her well in her new position. Prior to coming to the Commission, Ms. Lambert served as a Criminal Justice Customer Service Specialist and a Criminal Justice Information Technician with the Florida Department of Law Enforcement.

The Office of the Commission Clerk receives thousands of cases each year which staff prepares and processes for the Commission's review and action. They include conditional release interviews, parole interviews, parole release plan investigations, addiction

recovery interviews, conditional medical release recommendations, supervision reviews, requests for modifications of the conditions of supervision, and special requests from the Department.

This Office provides the following services: provides public notice of the Commission's meetings; prepares the Commission's agenda; notifies persons when cases are docketed and where they have requested to appear; calculates supervision dates; audits eligibility for supervised release; prepares orders reflecting the Commission's actions; prepares and processes all release certificates for the Parole, Conditional Release, Conditional Medical Release, and Addiction Recovery Programs; and maintains the official records of the Commission's decisions. This section also coordinates security for the Commission's meetings.

OFFICE OF THE COMMISSION CLERK ACCOMPLISHMENTS: FY 2011-12

- The Department began restoring forfeited gain-time to inmates who remained free from disciplinary reports for a period of time and who were approved by the Warden of each institution, to be granted this gain-time, which caused inmates to be released early. The Commission monitors and tracks these cases for recidivism and success rates. A new database code, Gain Time Restored (GTR), was created in order to identify inmates who were released by receiving the restored gain-time.

The number of cases docketed in the FY 2011-12 included:

- Parole – 1,486
- Conditional Medical – 34
- Conditional Release – 5,999
- Addiction Recovery Supervision – 1,365
- Control Release – 0

IMAGING: In FY 2011-12, the Imaging team prepared, scanned, validated, indexed, and performed quality control on 136,842 documents for the official inmate file used by the Commission and the Department.

REVOCATIONS SECTION

Kim Dickey, Supervisor



Kim Dickey is a native Floridian, born in Tallahassee, Florida. Ms. Dickey graduated from Florida High School (the Demons) in 1981, and graduated with a Bachelor of Science degree from the School of Education at Florida A&M University in 1987. In 1992 Ms. Dickey joined the Commission, working in Control Release, Revocations and Interstate Compact. In 2007, she was promoted to Operations & Management Consultant II, as the Release Services supervisor. Ms. Dickey is actively involved in the Preventing Crime in the Black Community conference and has been on the planning committee for this conference since 2000. Her interests are reading, exercising, traveling and enjoying family. Ms. Dickey was appointed as the supervisor of the revocations unit in February 2012.

The Revocations Section reviews all violation reports, prepares arrest warrants, updates the National Crime Information Center/Florida Crime Information Center (NCIC/FCIC), databases responds to requests from law enforcement agencies, coordinates the extradition of violators, and performs functions relating to the docketing and processing of cases for Commission action involving review of supervision and violations of supervision.

The violation process begins when law enforcement or the Department notifies the Commission that a releasee has violated one or more conditions of his supervision. The Revocations Section is responsible for reviewing these reported violations and preparing a warrant for a Commissioner's signature. To assist law enforcement in identifying and apprehending alleged violators, the releasee's photograph and other identifiers are placed on the warrant. The Commission may issue a warrant for the arrest of any offender when reasonable grounds exist to believe the releasee has violated any of the conditions of supervision.

REVOCATIONS ACCOMPLISHMENTS: FY 2011-12

Warrants Issued	1,927
Warrants Dismissed	485
Cases Reviewed and Prepared for Docket	1,724

* Includes Parole, Conditional Release, Addiction Recovery Release, and Control Release cases.

Re-Entry Efforts / Participation

Central office and Region III field office staff teamed with the Assistant Warden of Sumter C.I., her staff, and the Directors of Sumter C.I.'s LIFERS' program to ensure that the Department and the Commission work together to ensure inmates participating in the program receive the most benefit from the program by promoting transition skills needed to assist an inmate's integration back into society.

Transition from Prison to Community Initiative

Revocations Supervisor Kim Dickey joined the Transition from Prison to Community Initiative (TPCI) focus group for TPCI decision point 6, the Revocation (Case Management) Decision Making process, and participated in two group conference calls during this reporting period. The purpose of the focus group is to organize and conduct events to seek input or disseminate information about transition and reentry efforts and developing strategies for community and agency education.

Absconders

The Commission, along with the Department, receives assistance from the United States Marshal Service (USMS) Florida Caribbean Regional Fugitive Task Force with locating offenders who have absconded from supervision. To date, the USMS Florida Caribbean Regional Fugitive Task Force officially adopted five Commission cases for investigation.

VICTIMS' SERVICES

Daphne Asbell, Coordinator



Daphne Asbell received her B.S. in Government from Florida State University. Prior to coming to the Commission, she worked for FDLE for 11 years in the Division of Criminal Justice Information Systems as a Supervisor and later an Administrator in criminal history records. Ms. Asbell worked as Administrator during the inception of the FDLE Firearms Purchase Program, overseeing the program that delivers instant criminal history record checks at point of purchase of firearms in Florida. After leaving FDLE, she worked for the Department of Juvenile Justice Inspector General's Office for a brief time. In 1996, she became the Victim's Coordinator for the Commission. As Victim's Coordinator, Ms. Asbell is dedicated to ensuring that victims are located, informed and allowed to have input in parole, conditional medical, conditional release, and clemency cases.

The Victim Services' Section provides direct, personal service to crime victims and their families. These employees strive to reduce victimization through education within an environment of compassion, dignity and respect. The section is proactive in educating victims, and informing them of their rights. Central Office staff, in coordination with field staff, attempt to locate all victims to inform them of their right to be heard and participate in the clemency or Commission processes. Victims are located using many resources such as death certificates and obituaries to identify survivors, and Florida driver license information, the Internet, and the *Accurint* search engine. Victims are also informed of their right to be notified by the Department of an inmate's movement within the prison system or an escape.

Victim input is important at every stage of the clemency and parole process and is crucial to informed decision-making. Their participation can impact decisions regarding aggravating factors when setting a presumptive parole release date (PPRD), clemency, and conditional medical release. Restitution, special conditions of supervision, and treatment programs for the offender are also impacted. If a victim chooses not to participate in this process, the person may still request to be notified and informed of upcoming clemency and parole proceedings and the Commission's or Board's actions concerning those proceedings. Victims make the decision as to what extent they wish to participate in the process.

The "Victims of Crime Act" was enacted in 1984 to provide federal funding to assist state, local, and private nonprofit agencies to provide direct services to crime victims. Staff offers assistance to victims and their families by: responding to their emotional and physical needs; providing the necessary support to help stabilize their lives after victimization; and providing knowledge of the criminal justice system and its operations. This section has been active in seeking ways to broaden the services that are available to victims.

VICTIMS' SERVICES ACCOMPLISHMENTS: FY 2011-12

- Victims' Services applied and received approval for continuation of a federal grant under the Victims of Crime Act. This grant primarily provides funds for a full-time staff position responsible for assisting victims of offenders who are seeking clemency.
- Supervisor Daphne Asbell presented a component on the Florida Parole Commission Victims' Services at the Attorney General's Florida Crime Prevention Institute training in conjunction with Chairman Tena Pate on February 15, 2012 in Coconut Creek, Florida at and on March 7, 2012 in Tampa and May 9, 2012 in Pensacola. The Parole Commission training segment comprised 4 hours of an 8 hour class.
- Daphne Asbell wrote a comprehensive article on Victim Search techniques that was selected for posting by the Association of Paroling Authorities International (APAI) on their website. Ms. Asbell made a presentation at the APAI Conference in Orlando during a symposium on promising practices.

- Victims' Services has located and made contact with victims in most of the capital felony cases that will be heard through 2022.
- The Victims' Services Section continues to utilize interns from the local universities and community colleges.
- Staff participates in many local victim recognition/fund raiser events of the Big Bend Victim Assistance Coalition.

FIELD SERVICES

Field Services' staff are responsible for performing a variety of functions, including acting as hearing officers when conducting administrative hearings. Releasees under parole supervision are entitled by law to both a preliminary probable cause hearing and a final revocation hearing, which must be held within 45 days of notification of arrest. Other releasees have a final revocation hearing within 45 days of notification of arrest.

Revocation hearings are fact-finding hearings conducted by a Parole Examiner and are usually held at the county jail. These hearings are held for parole preliminary hearings, final revocation hearings, release on recognizance hearings, and interstate probable cause hearings. They are held for releasees who are under parole, conditional medical release, conditional release, addiction recovery supervision, or control release supervision.

Parole Examiners also conduct investigations and prepare reports on individuals who are seeking clemency. During the past fiscal year, field services' staff were instrumental in reducing the number of pending restoration of civil rights cases.

Regarding the parole release process, Field Services' Parole Examiners conduct inmate interviews at the correctional facility, investigations, and make recommendations regarding the establishment of a PPRD for parole eligible inmates. Their duties also include: making recommendations regarding changes to an inmate's PPRD and whether to release on parole; conducting investigations for parole release plans; and locating victims or the relatives of victims of parole eligible inmates. They also work closely with local law enforcement agencies, civic organizations, and other local and state agencies to promote working partnerships within the community. Their additional duties are clemency-related and include conducting full investigations for the Board of Executive Clemency.

FIELD SERVICES' ACCOMPLISHMENTS: FY 2011-12

Sheila Roberts, Region IV Regional Administrator, represented the Florida Parole Commission at the British Overseas Territories Parole Conference which was held in Miami on November 16th and 17th, 2011. This organization consists of parole agency representatives from the United Kingdom Caribbean Overseas Territories and Bermuda, which includes Anguilla, the British Virgin Islands, the Cayman Islands, Montserrat, and the Turks and Caicos Islands. Although this was a small conference, the proximity of these Territories to the United

States, and the high likelihood of illegal interchange among our offenders, create the need for maintaining a mutually beneficial relationship with these Territories.

Commission field staff participated in many Department Re-Entry Seminars and RCR outreach events throughout the state. Field staff played a vital role in this process by providing information on the RCR process.

REGIONAL ADMINISTRATORS



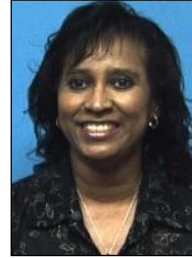
REGION I
Tom Hamilton



REGION II
Mills Rowland



REGION III
Kevin Tiller



REGION IV
Helen Williams



REGION V
Shelia Roberts

Division of Administrative Services



Gina Giacomo
Director

Gina Giacomo has served as the Commission's Director of Administration since her appointment in December 2008. Ms. Giacomo has vast managerial and leadership experience in the field of criminal justice gained through holding a variety of key positions in state government. She has served as the Commission's Director of Operations and Planning Officer; a Senior Management Analyst Supervisor with the Department of Children and Family Services; a Revocations Administrator with the Parole Commission; and a Classification Officer with the Department of Corrections. Ms. Giacomo holds an Associate of Science Degree in Criminal Justice; a Bachelor of Arts Degree in Criminal Justice Administration; and a Master of Science Degree in Adult Education. Ms. Giacomo's professional affiliations include APAI, American Probation and Parole Association, Southern States Correctional Association, Correctional Peace Officers Foundation, board member of Capital Italian American Organization and was elected to the Florida Council on Crime and Delinquency State Board in 2012.

The Division of Administrative Services serves as a liaison with the Governor's Office of Planning and Budgeting, the Office of Program Policy and Government Accountability, the Auditor General, the Florida Legislature, the Department of Financial Services, the Department of Management Services, and the Department's Information Technology section. The Division provides administrative support to the Commission's Central Office and 12 field offices. In addition to the Director's Office, the other sections include Human Resources, Finance and Accounting, Purchasing, and General Services.

This Division has fiscal responsibility for the agency including preparation of the agency's Legislative Budget Request, management of the Commission's operating budget, the Long Range Program Plan, purchasing of all commodities and services for the agency, and conducting the pre-audit of invoices. Additionally, it oversees emergency management, disaster response, and risk management. Employee participation campaigns such as the *Governor's Mentoring Initiative*, *Florida State Employees' Charitable Campaign*, and *Partners for Excellence* are also administered in this office. Further, the Division has lead responsibility for preparing all data, statistics, and financial information for use internally as well as providing this information to external agencies and individuals.

HUMAN RESOURCES

Bonnie Davidson, Administrator



Bonnie Davidson has served as the Commission's Human Resource Administrator since February 2011. She previously served as the Commission's Personnel Services Specialist; Operations & Management Consultant II with Department of Education; Personnel Aide, Personnel Technician I, and Operations Management Consultant II with the Department of Children and Families; Personnel Assistant and Human Resources Assistant II with DISC Village. Ms. Davidson has several years of experience with emergency management including volunteering with the evacuation team of Tulane Hospital after Hurricane Katrina.

The Human Resources Section is staffed solely by the Human Resources Administrator. This office is responsible for recruitment, insurance and benefits, payroll and leave, grievances and disciplinary actions, training, and the maintenance and interpretation of the Commission's Procedure Directives relating to human resource programs. It is the central coordination point for services ranging from management consultation to job satisfaction and termination.

This office participates in workshops, meetings, and trainings conducted on human resource administration, payroll, and benefits administration, and works with *People First* and Department of Management Services' staff to resolve any issues with the *People First* system.

The Human Resources Office continues its commitment to providing exceptional customer service to all employees of the Commission. This commitment includes using communication as a tool to ensure that employees are made aware of changes that take place and managers and employees are trained and proficient using the *People First* database.

There were 97 personnel action requests and 18 hiring and selection packages processed in FY 2011-12.

ACCOUNTING AND BUDGETING

Karen Huff, Administrator



Karen Huff was appointed to the position of Accounting and Budgeting Administrator for the Commission in October 2009. Ms. Huff has vast accounting and budgeting experience that was gained through a variety of positions in state government. Prior to coming with the Commission, she served as a Budget Analyst for several divisions at the Florida Department of Highway Safety; Operations and Management Consultant and Land Management Specialist at the Florida Fish and Wildlife Conservation Commission; and Operations Officer at the Citizens Bank of Wakulla. Ms. Huff holds a Bachelor of Arts Degree in Real Estate from Florida State University.

The Accounting and Budgeting Section is responsible for preparing the agency Legislative Budget Request and assisting with the development of the Long Range Program Plan. This section also submitted four agency budget amendment requests. One of the budget amendments requested a new activity, Victims' Services. The Administrator prepares monthly budget projections, performs a pre-audit of all agency invoices, and ensures compliance with all Department of Financial Services' (DFS) rules on expenditures and accuracy of financial records. Additionally, this office is responsible for the management of leases and contracts, processing of all purchase card receipts and monthly reconciliations, refunds, and property inventory changes for the Commission. There were 1,113 invoices processed for payment last year with a 100% compliance with the Prompt Payment Requirement. The Administrator has submitted a revised Purchasing Card Policy and Model Plan and was approved by DFS in April 2012. This section is also responsible for tracking the VOCA grant expenditures and reimbursements as well as monthly invoices for reimbursement and responding to numerous surveys and questions from other state agencies. This section is also responsible for tracking the hours worked on the RCR project.

GENERAL SERVICES

Winston McGriff, Operations Analyst



Winston McGriff was born and raised in Havana, Florida. He graduated from Havana Northside High and attended TCC & FAMU. He began his career with the State of Florida at the Florida Parole Commission as an OPS Senior clerk in June 1997 in the Administration Office. In November 1997, he obtained a permanent position as a Purchasing Technician. As a Purchasing Technician, he assisted the Purchasing Agent with the procurement of commodities and services. In June 2000, Mr. McGriff was promoted to the position of Purchasing Agent. Responsibilities were the procurement of commodities and services for central office, field offices and supervising the mailroom. In June 2002, he was promoted to the present position as Operations Analyst.

The General Services' Section is staffed by an Operations Analyst who provides general service support for the Commission's central office and 12 field offices. The analyst is responsible for having extensive knowledge of all state purchasing and contract guidelines. General Services is responsible for the purchasing of commodities and services for statewide use in compliance with all Department of Financial Services' rules. Over 200 purchases of commodities and services were processed this fiscal year. Additionally, 61 maintenance requests were handled or submitted to Department of Management Services. This section maintains the Commission's state vehicles, phone service, copy machines, fax machines, inventories, and distributes all external correspondence for the agency.

ADMINISTRATION ACCOMPLISHMENTS: FY 2011-12

- Answered numerous questions and provided many documents to Auditor General auditors and completed the FDLE Technical NCIC/FCIC Audit Report response
- Provided 16 reports and responded to 9 surveys from DMS, OPB, DFS, In addition, a survey was created and administered online to the Commission employees to receive valuable feedback for the leadership team
- Prepared the 2011-2012 OPS Extension report for the Governor's Office for approval and coordinated a FICA Alternative Plan for OPS employees
- Entered all contracts and agreements into the new Florida Accountability Contract Tracking System
- Participated in the State's "Match Maker" conference for vendors and purchasing agents

- Revised the travel procedure directive, HR policies and procedures, dress code policy, central office mail procedure, Commission Bonus Plan, and submitted revisions to Commission's P-card policy and model plan and the plan was approved
- Worked on preparations, arranged for the tours, attended and worked at the APAI Conference
- Participated in the work group for automating the Commissioner's docket and docket forms
- Completed name change of Release Services to the Office of Commission Clerk by setting up a new organizational budget code in FLAIR with DFS, submitting request to DMS to set up a new work code in *People First*, updating organizational charts, revising position descriptions, and changing the section name on intranet and internet websites
- Assisted the Tampa Regional office with moving to the Trammel Building by completing the client agreement with DMS for renovation on the Trammel Building and working with DMS for the renovation of the building
- Submitted over 70 revisions and updates to the public and intranet websites; Submitted requests to Department IT for programming of Commission databases
- Assisted the Parole Qualifications Committee by recording the meetings, providing minutes, advertising the Commissioner positions, arranging for interview Room Reservation and updating the Parole Commissioner Application
- Accepted nominations and coordinated the "Employee of the Year" award ceremony and coordinated activities for Public Service Recognition Week/Employee Appreciation
- Provided and assisted FAMU, TCC, and FSU students with Commission internships
- Set up account to receive electronic fingerprinting from FDLE
- Received and recorded FPC Performance Evaluations and completed several FMLA/ sick leave donation requests
- Department of Management reported that FPC had no positions within *People First* that have invalid EEO-4 codes
- Provided input to Department of Management Services with writing policies that included: Deferred Retirement Option Program, Military Leave for Recurring Reserve or National Guard Training, Performance Evaluations, Social Media, Hiring Process, and Selective Service
- Represented the Commission at the Interagency Advisory Council meeting on safety and loss prevention

- Coordinated the Monthly Employee Enrichment Series including nutrition and healthy eating habits, demonstration from the Department of their current electronic monitoring devices, how to write a resume and job interviewing tips, Wills 101, and the State Library Archives of Florida Services for State Agency Employees
- As required the Administration staff attended the following workshops and training: DMS purchasing with state contracts, National Institute of Corrections training for Parole Executives, Unit cost and Fiscal Portal, Emergency Management, FLAIR statewide vendor file, FCCD Annual Training Institute, Open Enrollment, Rule Revisions, Human Resource Florida Department of Financial Services Quarterly Training, E-Verify training, FSECC Local Agency Coordinators, *People First* and DMS/HRM, Vendor benefit changes offered to State Employees, Transferring FPC vehicles from EMIS system to the new Fleet system, State Contract Management system and Property Insurance, FLAIR Client File Conversion, Florida Accountability Contract Tracking System, Collective bargaining negotiation, Successor agreement negotiations between the State of Florida and AFSCME, State's proposal for Article 18 – Leaves of Absence, Hours of Work, Disability Leave and Special Compensatory Leave, and the 2012 Annual Loss Prevention Academy

FINAL EXPENDITURE REPORT FY 2011-12

Budget Category	Appropriated Budget	Total Expenditures 06/30/2012	Budget Balance 06/30/2012
Salaries	\$6,413,137	\$6,156,498	\$256,640
OPS	\$308,059	\$306,199	\$1,858
Expenses	\$756,237	\$756,244	\$0
OCO	\$6,914	\$6,573	\$341
Risk Management Insurance	\$102,005	\$102,005	\$0
Human Resources Outsourcing	\$46,024	\$46,024	\$0
Data Processing	\$194,450	\$194,450	\$0
Total	\$7,826,826	\$7,567,993	\$258,839

Office of Communications



Jane Tillman
Director

Jane Tillman has served as the Commission's Director of Communications and Legislative Affairs since her appointment in August of 2007. She has worked in Florida State Government for 30 plus years holding key positions with the Supreme Court of Florida, the Florida House of Representatives, the Commission on Ethics, the Department of Business and Professional Regulation, and the Commission. She has a Bachelor of Arts Degree in Journalism from the University of Georgia where she majored in Broadcast Journalism and Speech. Ms. Tillman has extensive legislative experience as a former Chief Legislative Analyst for the State Commission on Ethics and the Florida House of Representatives and as a private sector and state agency lobbyist. As a Communications professional, Ms. Tillman has interviewed numerous national and state leaders, along with prominent individuals in the entertainment and broadcasting fields. She is currently serving as chair of the APAI Committee on Public Relations and Communications.

The Office of Communications is charged with overseeing the agency's communications and public information program, with the Director acting as the agency's chief spokesperson. This office responds to daily inquiries from local, state, and national media organizations as well responding to public information and public records requests, as necessary. It routinely interacts with the Governor's *Office of Open Government* for public records requests, the Governor's *Office of External Affairs/Citizen Services* for Governor's correspondence sent for Commission response, the Governor's *Communications Office*, and other state agency Communications' Directors and Public Information Officers.

The Director works closely with the Commission's General Counsel, the Governor's Legal Office, and other members of the Commission's Leadership Team on most public records requests. The Director also makes presentations to advocacy groups and the media on behalf of the Chair when requested, and attends citizen and community outreach events around the State as needed.

The Director works with the Chair, the Commissioners, and other senior staff to develop a viable communications program; improving the Commission's website, developing brochures, handouts, and public relations materials, and exploring the appropriateness and applicability for the use of digital media and social media networking.

COMMUNICATIONS ACHIEVEMENTS: FY 2011-12

- Released media information in coordination with the Office of Executive Clemency and the Governor's Communication's Office in preparation for the September and December 2011 and March and June 2012 Clemency Board Meetings
- Assisted the Chair, the APAI staff, and FPC senior staff in the preparation and development of materials and press information for the APAI Annual Training Conference
- Currently serving as Chair and a member of the APAI Subcommittee on Communications
- Coordinated the drafting and production of the "Clemency Activity Report" submitted to the Clemency Board on July 1, 2012
- Prepared and disseminated press releases and prepared special press releases and letters of invitation to area elected officials and legislators for the June 13-14, 2012 Commission meetings held in Broward County
- Coordinated the drafting and production of the first "Clemency Activity Report" as directed and formally submitted by the Chair to the Board on July 1, 2011
- Assisted with the production of the final "RCR Proviso Report" provided to the Legislature October 1, 2011

Documents and publications from Communications are provided electronically to the Governor, members of the Cabinet, and the leadership of the Florida House and Senate, when appropriate, and are also posted on the Commission's website.

The decision was made to separate the Office of Communications and Legislative Affairs and have a Director for each. This was done to provide full-time staff in both areas so as to better serve the agency, the Governor and Cabinet, and the public.

Office of Clemency Investigations



Stephen Hebert
Director

Stephen E. Hebert was appointed as the Director of Clemency Investigations for the Commission on January 18, 2005. Mr. Hebert has served continuously in the clemency office during his 14 years with the Commission. In September 1998, he began conducting clemency investigations as a Parole Examiner, including reviews of offenders' expiring prison sentences or terminating community supervision to certify their eligibility for restoration of civil rights in accordance with the Rules of Executive Clemency. In January 2001, he was subsequently promoted to the Capital Punishment Research Specialist position where he investigated and conducted in-depth studies of criminal appeals, motions, petitions, and responses filed in state and federal courts of Florida death-row inmates. Prior to his service with the Commission, he was employed as a Probation Officer for six years with the Leon County Probation Department in Tallahassee, Florida. He is a 1991 graduate of Florida State University where he received a Bachelor of Science Degree in Criminology.

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, remission of fines, and capital punishment cases. Clemency Investigations also conducts special projects and acts as the liaison with other state agencies in the development of information. The Governor and Cabinet sit as the Board and establish the Rules of Executive Clemency (Rules) by mutual consent.

GENERAL CLEMENCY INVESTIGATIONS

Clemency Investigations, with assistance of field staff, provides daily investigative and research support to the Board. Field staff conducts extensive investigations on all cases requiring a hearing before the Board. These investigations include, but are not limited to, criminal convictions, history of adjustment to incarceration or supervision, criminal record, traffic record, payment of fines/court costs/public defender fees/victim restitution, history of domestic violence, alcohol/substance abuse history, voter registration information, and community reputation. This office conducts quality assurance reviews on each of these investigations and obtains the Commission's advisory recommendation for submission to the Board. Clemency applicants are mailed a copy of their investigative report prior to each scheduled Board Meeting. In cases granted conditional clemency, the Director of Clemency Investigations researches and obtains residential treatment programs suitable for the offender,

monitors compliance with the conditions set forth by the Board, and provides quarterly progress reports to the Board.

The referral, assignment, review, and approval of all clemency cases are generated and managed through the Commission's clemency database. The Commission's Parole Examiners within the Office of Clemency Investigations and the field offices determine eligibility by following the Rules during the review process. The process utilizes records and databases of state and federal courts, and multiple criminal justice agencies to obtain and verify information on criminal histories, pending court actions, restitution obligations and citizenship status. Records of the Department, FDLE, Department of Highway Safety and Motor Vehicles, Department of Homeland Security, clerks of court, federal courts, local law enforcement agencies, the Commission's clemency database, the Internet, and other out-of-state boards and agencies may be consulted. To qualify for clemency, a person must have completed all their sentences or term of supervision; have no pending criminal charges or outstanding detainers; have paid all victim restitution; and have met certain timeframes established by the Board. Clemency Investigations notifies the Office of Executive Clemency of all individuals determined ineligible for any form of clemency, and provides information on how they may proceed with the process.

The Office of Clemency Investigations works closely with the Commission's Field Services, Department staff, Board staff, and legislative staff. The Office also works with community outreach and activist groups by providing information, education, and training to foster a better knowledge and understanding of the Rules and the clemency investigative process, especially on issues regarding eligibility for the restoration of civil rights.

RULES OF EXECUTIVE CLEMENCY

Felons seeking to have their rights restored must complete a five or seven year waiting period to become eligible. RCR cases are classified as follows: *Without a Hearing* (Rule 9.A.) and *With a Hearing* (Rule 10.A.). *Without a Hearing* investigations are those where offenders, depending on the offense of conviction, are eligible for consideration only after five years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions, and if no crimes have been committed and have not been arrested for a misdemeanor or felony for the five years prior to the date the application is being reviewed. *With a Hearing* investigations are those where offenders with more serious offenses are eligible for consideration only after seven years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions.

A requirement of the amended Rules is for the Commission to provide a Clemency Activity Report to the Board.¹ Rule Eighteen directs the Office of Executive Clemency, the Commission, and the Department to provide annually, beginning July 1, 2011, a report on the status of individuals, whose rights were restored for the previous two calendar years, including recidivism statistics and evaluative data.

¹ "Status Update: Restoration of Civil Rights' (RCR) Cases Granted 2010 and 2011," submitted to the Board of Executive Clemency by the Parole Commission, July 1, 2012.

This report was provided to the Board by the Commission on July 1, 2012, and is an overview of the processing and granting of RCR cases for calendar years 2010 and 2011, along with data indicating the number of these individuals who have reoffended and been returned to the custody of the Department with a new prison commitment or period of supervision. To access this report, go to the following link: <https://fpc.state.fl.us/RP.htm> and select "2010-2011 Clemency Action Report."

RCR STATISTICS OF INTEREST

The Commission reviewed the restoration of civil rights cases heard at the four quarterly Clemency Board Meetings and researched the specific reasons why these applicants requested restoration of their civil rights. Several applicants indicated multiple reasons in their statements to our examiners, and the following information is a summary of what their statements revealed:

- **67%** of the applicants specifically indicated that they were interested in regaining their right to vote, sit on a jury, or hold public office.
- **25%** 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.
- **21%** of the applicants did not provide any specific reason for requesting the restoration of their civil rights.

REQUEST FOR REVIEW (WAIVER) PROCESS

Clemency Investigations may be referred a "Request for Review" application for Commutation of Sentence upon acceptance by the Office of Executive Clemency. This office conducts a brief investigation which includes, but is not limited to, the applicant's criminal convictions including sentence structure and circumstances of offense, history of adjustment to incarceration or supervision, criminal record, and traffic record. Clemency Investigations obtains the Commission's advisory recommendation, which is included with the investigation for submission to the Board.

CAPITAL PUNISHMENT CASE INVESTIGATIONS

In capital punishment cases, by Rule, the Governor may require the Commission to conduct an in-depth investigation. Clemency Investigations is responsible for coordinating the clemency interview of the death row inmate conducted by the Commission. The Capital Punishment Research Specialist researches the case history, including offense(s) of conviction, complete criminal record, institutional record, co-defendant information, and court information relating to trial and appeals.

The Capital Punishment Research Specialist also coordinates with Field Services to conduct a field investigation on the inmate and conduct interviews, if possible, with the trial attorneys who prosecuted and defended the inmate, the presiding judge and the inmate's family. In addition, the Research Specialist works with the Attorney General's Office to allow victims of record to provide any comments to be included with the final report to the Board. Clemency Investigations compiles this information together with the Commission's findings and conclusions and provides it to the Board to assist in the consideration of a commutation of sentence to life.

VICTIM ASSISTANCE

The Commission fosters a positive working relationship with State Attorneys and Attorney General Victims' Services Offices to assist victims in clemency cases that are submitted to the Board. Clemency Investigations, along with field staff, works diligently to identify, locate, and contact the victims of record. They provide the victim's comments in all cases appearing on Board agendas as well as all RCR *Without a Hearing* investigations in which victims may be involved. Victim's statements are provided in a confidential manner to the Board. The Agency's Victim Advocate for clemency cases works closely with both Clemency Investigations and field staff to enhance the overall victim contact process and to provide assistance to victims and their family members in all types of clemency cases. Parole Examiners in Central Office and the field offices have assisted numerous victims in receiving outstanding restitution owed to them.

Office of Executive Clemency



Julia R. McCall
Coordinator

Julia R. McCall was appointed by the Governor and Cabinet as the Coordinator of the Office of Executive Clemency on January 12, 2010. Ms. McCall previously served as a Parole Examiner with the Commission's Office of Clemency Investigations. A 25 year veteran of the Alachua County Sheriff's Office, Ms. McCall retired from her position as Deputy Sheriff with the rank of Sergeant and Lead Inspector. In addition to her law enforcement experience, she is currently a member of the Domestic Violence Coordinating Council of Tallahassee and has served on the Guardian Ad Litem Advisory Board of Alachua County and the Sexual Battery Homicide Task Force of Gainesville, Florida. Ms. McCall holds an Associate of Arts Degree from the University of Charleston, formerly Morris Harvey College, Charleston, West Virginia.

The Office of Executive Clemency (OEC) reports directly to the Governor and Cabinet in the performance of their duties and responsibilities. This office is co-located with the Commission for ease of operation and coordination of functions. OEC was created in 1975 to process applications for executive clemency requiring approval of the Governor and requisite members of the Cabinet who sit collectively as the Clemency Board. The Coordinator is appointed by the Governor and Cabinet and is responsible for coordinating all clemency hearings and referring applications for investigation. The Coordinator is the official custodian of all clemency records.

In addition to processing requests for RCR, applications for restoration of alien status under Florida law, full pardons, remission of fines, requests for review regarding commutations of sentence and specific authority to own, possess or use firearms, the office also provides verification and/or certification of restoration of civil rights and all other forms of clemency granted to law enforcement agencies, state attorneys, public defenders, licensing agencies, and supervisors of elections. During the reporting period, staff prepared 4,286 "Gold Seal" letters, which verified the status of clemency requests for those agencies who have inquired.

OEC prepares and distributes the agenda for the Board meetings, as well as the orders and certificates granting clemency, and is responsible for notifying the applicants, attorneys, and victims regarding meeting dates and the status of the cases. Information and applications for clemency are distributed on a daily basis. Office staff responds to questions and assists applicants in completing the requests for RCR, as well as responding to correspondence and phone calls referred from the Governor, Cabinet offices and other government agencies.

The Coordinator works with the Clemency Aides to the Governor and Cabinet on the interpretation of Rules and keeps abreast of new state and federal legislation that might have a direct or indirect impact on the clemency process in Florida. The Coordinator also responds to research inquiries regarding clemency and provides information to persons conducting federal and state surveys on clemency procedures in Florida.

During FY 2011-12, OEC coordinated four quarterly clemency meetings including September and December 2011, and March and June 2012. Much of the work is prepared prior to and after hearings regarding contacting applicants of their placement on the agenda and then the results of their consideration after the hearing. OEC and Clemency Investigations work jointly to make these meetings successful.

OFFICE OF EXECUTIVE CLEMENCY ACCOMPLISHMENTS: FY 2011-12

The Coordinator continues to focus attention on ensuring that staff are performing their duties as efficiently as possible and have the tools and training to succeed. She is challenged with utilizing limited staff that are faced daily with a tremendous number of pending cases to be processed and numerous incoming external requests for assistance. Staff suggestions and ideas are highly regarded when addressing streamlining and efficiency based performance goals along with improvements to customer service.

OEC is very grateful for the two OPS staff members who each work 40 hours a week. These staff members are considered as our front line. Not only do they respond to calls all throughout the day, they are expected to always be apprised of the Rules of Executive Clemency and the flow of the entire process. During the FY 2011-2012 this office received 29,748 calls from the 1-800 listing. This total does not include calls which were received on our direct lines which are listed on numerous documents. Prior, staff in the office took turns responding to calls which provided continual interruptions in their work progress.

Previously in February 2011, the office commenced an application screening project designed to screen the 40,000+/- applications pending in OEC for eligibility, which is the first step in the clemency process. This project was comprised of 19 Field Examiners and 21 Parole Commission Central Office staff. To accomplish this, thousands of applications awaiting the screening process in OEC were sent to Field Examiners in the regions throughout the state and distributed in Central Office. At the completion of this initiative on June 30, 2011, OEC staff continued through July and August to review the results of the field project which included notifying the applicants of their eligibility determination and forwarding eligible cases to Clemency Investigations. The task of re-evaluating all applications in the system at the time of the Rules change is a continuing process, now utilizing existing staff.

Since the start-up date of 10/06/2008 and through 06/30/2012, the clemency RCR search website www.FLrestoremyrights.com had the following activity:

Visitors to site:	919,441
Certificate searches:	733,532
RCR certificates found:	77,086
RCR certificates viewed and possibly printed:	51,733
Certificates available online:	374,626

A great deal of focus has been placed on customer service approaches which includes updating information on our websites and correspondence, information provided to callers, the prison system, probation offices and other related criminal justice and governmental agencies. The mission of this office is to continue our efforts of assisting applicants and also knowing we have a huge responsibility to understand the dynamics of those we serve.

We will continue to evaluate our process efficiency through frequent discussions with OEC staff and also the staff in the Clemency Investigations office.

Office of Legislative Affairs



Brian Logan
Director

Brian Logan has served as the Commission's Director of Legislative of Affairs since July 2012. Prior to joining the Commission Mr. Logan was the Deputy Staff Director and a Legislative Analyst in the Majority Office of the Florida House of Representatives. Mr. Logan has extensive legislative experience gained both on the inside while in the House of Representatives and on the private side while he was an associate lobbyist for Landmarc Strategies, a lobbying firm in Tallahassee. While at Landmarc Strategies, Mr. Logan successfully lobbied the legislative and executive branches for such clients as the Florida Medical Association and the Humane Society of The United States. Prior to joining Landmarc Strategies, Mr. Logan gained invaluable experience and knowledge of the legislative process working as a project coordinator for Lobbytools, a Florida-based legislative tracking system. Mr. Logan holds a Bachelor of Arts Degree from Gonzaga University, located in Spokane, Washington, in Psychology and Philosophy; and a Master of Science Degree in Political Science from Florida State University.

The Office of Legislative Affairs is charged with directing and overseeing the Commission's legislative program as the agency's chief legislative lobbyist. The Office is staffed by a Director of Legislative Affairs and a Staff Assistant.

This office routinely interacts with all members and staff of the Florida Legislature; the Office of Program Policy and Accountability (OPPAGA) and the appropriate Joint Legislative Committees; the Governor's Office of Policy and Budget (OPB); the Governor's Office of Legislative Affairs; and the Legislative Affairs Directors (LADs) of all state agencies, particularly those in the areas of law enforcement and criminal justice. Additionally, this office handles all requests for agency information on proposed bill analyses and fiscal notes, maintains the legislative schedule for the Commission, attends legislative committee meetings, and makes presentations before legislative committees as needed.

LEGISLATIVE AFFAIRS ACCOMPLISHMENTS: FY 2011-12

The following is a summary of the three key Commission issues that were impacted by the 2012 Regular Legislative Session:

EXECUTIVE APPOINTMENTS/SENATE CONFIRMATIONS

- Commissioner Chair Tena M. Pate was reappointed by the Governor and Cabinet on June 17, 2011. On March 9, the Senate, by a unanimous vote, confirmed Ms. Pate's appointment to serve a second six-year term as a Parole Commissioner.
- Commissioner-Appointee Bernard R. Cohen, Sr. was appointed by the Governor and Cabinet on January 18, 2012, to fill the vacancy. On March 9, the Senate failed to take action on Commissioner-Appointee Cohen's pending confirmation. Commissioner-Appointee Cohen was reappointed by the Governor and Cabinet at the March 20, 2012, Cabinet Meeting. Commissioner-Appointee Cohen awaits confirmation in the 2013 Regular Legislative Session.

BUDGET

The Legislature approved an operating budget for the Commission for FY 2012-13 of \$8,224,487 (HB 5001ER) and includes:

- A new full-time position for the Commission's Victims' Services Unit;
- The elimination of the requirement to publish an annual report to the Legislature on the Status of RCR Clemency Cases per proviso language in the GAA; and,
- \$350,000 in OPS recurring general revenue funds towards reducing the RCR *Without a Hearing* clemency backlog.

SUBSTANTIVE ISSUES

- Meetings and discussions were held with representatives from the Commission's relevant stakeholders (state attorneys, public defenders, victims groups, Florida Fraternal Order of Police, Florida Police Benevolent Association, Florida Police Chiefs, and the Florida Sheriffs Association) to discuss the Commission's legislative proposals along with each of their priority legislative issues for the 2012 Session.
- The Commission's priority substantive bills, CS/SB 506 and CS/CS/HB 329 – extended parole interview dates for certain violent crimes, were positioned to be taken up and passed at any time during the last week of Session, but as with so many other worthy pieces of legislation, time ran out.
- The Commission will be asking the Governor's Office for their support for these bills and other proposals as part of the Commission's Agency Legislative Proposals' package for consideration in the 2013 Regular Session of the Legislature.

Office of the General Counsel



Sarah Rumph
General Counsel

Sarah Rumph has served as the Commission's General Counsel since her appointment in June 2009. Mrs. Rumph's career of public service includes work as an Assistant General Counsel with the Commission, a Senior Attorney with the Florida Department of Health, and as an Assistant Public Defender in the Sixth Judicial Circuit. She holds an Associate of Arts Degree from St. Petersburg Junior College, a Bachelor of Arts Degree from the University of Tampa, and a *Juris Doctorate* from Stetson University College of Law. Mrs. Rumph volunteers her legal assistance for many pro bono legal activities within the community and is a member of the Episcopal Church of the Advent, the FSECC Local Steering Committee, and is a United Way Leadership Giver.

The Office of the General Counsel was actively involved in litigation during FY 2011-12 in both state and federal court. This office routinely files court pleadings, motions, responses, briefs, memoranda, and legal correspondence as a result of releasees, parolees, and clemency applicants challenging the Commission's decisions. Further, the attorneys provide legal opinions, advice and support to the Commissioners, the Tallahassee Central Office and the five Regional offices.

OFFICE of the GENERAL COUNSEL GOALS:

To successfully prevail on litigation filed against the Commission,

To provide quality legal advice and representation in a prompt manner, and

To engage in proactive legal counseling in an effort to prevent unnecessary future litigation.

OFFICE of the GENERAL COUNSEL ACCOMPLISHMENTS: FY 2011-12

- Opened 299 new legal cases and continued to handle numerous ongoing legal matters
- Prepared 432 pleadings, motions, responses, briefs, memoranda, and other legal correspondence to state and federal courts

- Provided 408 verbal and written legal opinions to Commissioners and staff
- Reviewed 17 Section 947.18, Florida Statutes, orders for legal sufficiency and 20 eligibility review requests
- Processed 125 public record requests
- Represented the agency at 141 meetings involving significant Commission issues
- Received, reviewed and processed thousands of telephone calls and pieces of mail

SIGNIFICANT LITIGATION

Significant cases handled by this office during FY 2011-12 were as follows:

- Williams, Gardner v. DOC & FPC: Mr. Williams was sentenced on one case which had two felony counts, one of which he was sentenced as a habitual offender, and two misdemeanor counts. He was eligible for conditional release on the habitual offender sentence and was subject to misdemeanor probation following incarceration for the misdemeanor offenses. Mr. Williams argued that his misdemeanor probation substituted for his conditional release supervision. The court rejected this argument, upholding the Commission's eligibility determination.
- Harris, Keith v. FPC: Mr. Harris argued to the federal court that the Commission violated his constitutional rights when it revoked his parole. The Commission had revoked Mr. Harris' supervision when he tested positive for marijuana. He specifically argued that the urinalysis was unreliable and tainted. The court rejected his arguments and found that the Commission covered all of his federally protected rights.
- Anthony Wilson v. Florida Parole Commission: Mr. Wilson was on conditional release in Alabama when he was arrested on allegations of a new crime. The Commission issued a warrant, and ultimately revoked conditional release after he was returned to Florida and he waived his right to a final hearing. Mr. Wilson argued against the Commission's revocation because his charges in Alabama were dropped; interestingly, the charges were not dropped until after the Commission's revocation decision. He also argued that the Commission violated the interstate compact because, allegedly, his new arrest would not have been considered a violation of supervision conditions in Alabama. The Court rejected these contentions finding that the Commission did not abuse its discretion.
- Hugh Thompson v. DOC & FPC: The Petitioner in this case was violated on his conditional release supervision for allegedly committing new crimes after he was released from the Civil Commitment Center. He was requesting credit for the time spent in the Civil Commitment Center. The Court held that the Commission did not abuse its discretion by denying his request for credit for the time spent in the Center.

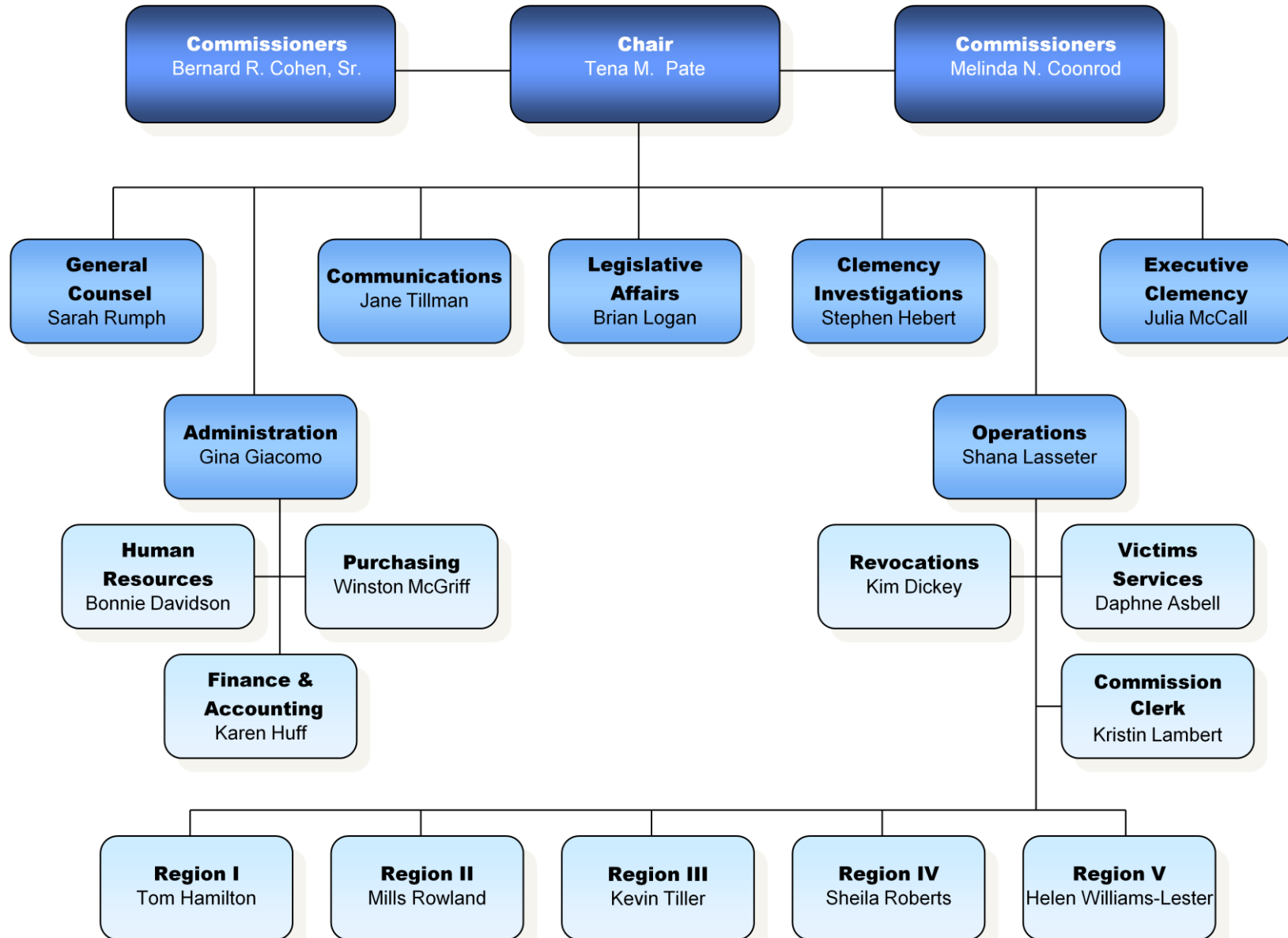
- Hall v. Pate: The individual in this litigation was requesting the Commission process his clemency application quickly and interview him for parole. The Court upheld the Commission's determination that the inmate was not eligible for parole and dismissed the clemency contentions as a solely executive power.
- Kendall Lewis v. State: Mr. Lewis challenged not only the calculation of his sentence and forfeiture of his gain time after revocation of his conditional release, he also attempted to argue that he was entitled to credit for the time spent on conditional release. The Court upheld the statutory authority of the Department to forfeit gain time if the releasee violates and is returned to custody as well as the authority of the Commission to not grant credit for the street time.
- Tonie Baker v. FPC: This inmate argued that he was not properly eligible for conditional release since he was sentenced under a different criminal procedural rule than the rule that is cited in the statute. I responded to the court's numerous show cause orders and explained that the statute states that the convicted crime "*is or was contained in category 1, category 2, category 3, or category 4 of Rule 3.701 and Rule 3.988, Florida Rules of Criminal Procedure*" in order to be eligible. The court ultimately upheld the eligibility determination and denied the petition seeking immediate release.
- Robinson v. FPC: this conditional releasee filed a federal petition challenging the revocation of his conditional release. He argued that the Commission restricted his right to freedom of religion by imposing his curfew and then by revoking him for violating his curfew when he was outside curfew hours on "church business." Incidentally, the releasee was in a "disturbance" at another church worshipper's house to which police responded to. He also argued that the state should have given him another revocation hearing. The court rejected the both the inmate's challenge to an abuse of the first amendment and to his challenge that he did not receive due process.
- Robinson v. FPC and DOC: The order on this case denied the inmate's motion to try to compel the Commission to produce a transcript of his revocation hearing. This order continues the long-standing case law which states that there is no entitlement to free transcription of the violation hearing.
- Benedith v. DOC: Cases filed by inmates, and any person proceeding without an attorney, are construed liberally by the courts. The courts try to do what it can to give practical effect to the individual's argument. That cannot always be accomplished, however. In this case the Court dismissed the petition finding it so vague and indecipherable that it was impossible for the Court to rule on the petition. The inmate was given time to amend his petition before the case was closed permanently.

OFFICE HIGHLIGHTS

We are always seeking to improve our efficiencies and service. Here is the current state of the General Counsel's Office and our personal and professional achievements:

- The Legal Office had 100% participation in the FSECC 5K walk/run in November 2011.
- Legal staff received important training updating our legal skills on e-filing generally and especially regarding ADA e-filing compliance.
- Brenda Council and Misty Pearson directly supported the Office of Executive Clemency by assisting with the office's returned RCR mail project.
- Misty acquired a certification in the ACTS program (Alcohol and Chemical Treatment Series.) This certifies her to deal with substance abusers and persons with anger management issues.

FLORIDA PAROLE COMMISSION ORGANIZATIONAL CHART



CENTRAL OFFICE DIRECTORY

FLORIDA PAROLE COMMISSION 4070 ESPLANADE WAY, TALLAHASSEE, FL 32399-2450

COMMISSIONERS

Tena M. Pate – <i>Commissioner, Chair</i>	(850) 488-1980
Bernard R. Cohen, Sr. – <i>Commissioner, Vice-Chair</i>	(850) 488-0476
Melinda N. Coonrod – <i>Commissioner, Secretary</i>	(850) 487-1978

OFFICE OF GENERAL COUNSEL

Sarah Rumph – <i>General Counsel</i>	(850) 488-4460
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OFFICE OF COMMUNICATIONS AND LEGISLATIVE AFFAIRS

Jane Tillman - <i>Communications Director</i>	(850) 921-2816
Brian Logan – <i>Legislative Affairs Director</i>	(850) 921-2816

OFFICE OF CLEMENCY INVESTIGATIONS

Steve Hebert – <i>Director</i>	(850) 487-1175
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OFFICE OF EXECUTIVE CLEMENCY

Julia McCall - <i>Coordinator</i>	(850) 488-2952
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DIVISION OF ADMINISTRATION

Gina Giacomo – <i>Director</i>	(850) 488-3415
Bonnie Davidson - <i>Human Resources Administrator</i>	(850) 488-3417
Karen Huff – <i>Accounting and Budgeting Administrator</i>	(850) 921-2815
Winston McGriff - <i>Purchasing</i>	(850) 488-2280

DIVISION OF OPERATIONS

Shana Lasseter – <i>Director</i>	(850) 922-6137
Daphne Asbell – <i>Victims' Services Coordinator</i>	(850) 487-3259
Kim Dickey – <i>Revocations Supervisor</i>	(850) 488-0611
Kristin Lambert – <i>Commission Clerk Supervisor</i>	(850) 488-1293

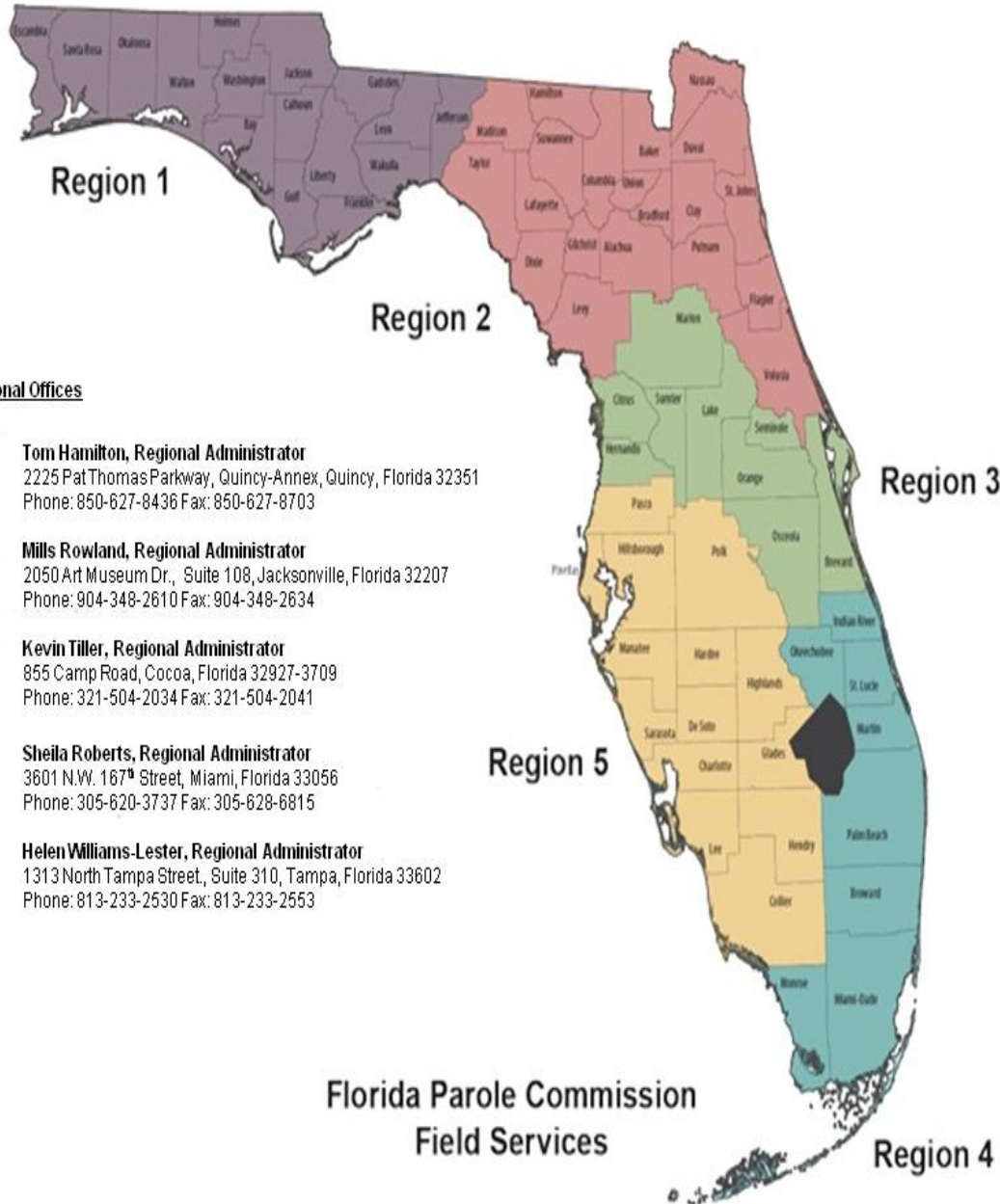
REGIONAL ADMINISTRATORS

Tom Hamilton – <i>Region One Administrator</i>	(850) 627-8436
Mills Rowland – <i>Region Two Administrator</i>	(904) 348-2610
Kevin Tiller – <i>Region Three Administrator</i>	(321) 504-2034
Sheila Roberts – <i>Region Four Administrator</i>	(772) 223-2540
Helen Williams-Lester - <i>Region Five Administrator</i>	(813) 233-2530

TOLL FREE ACCESS NUMBERS

Restoration of Civil Rights (RCR)	(800) 435-8286
Victims Toll Free number	(855) 850-8196

FIELD SERVICES DIRECTORY



Regional Offices

- 1 Tom Hamilton, Regional Administrator**
2225 Pat Thomas Parkway, Quincy-Annex, Quincy, Florida 32351
Phone: 850-627-8436 Fax: 850-627-8703
- 2 Mills Rowland, Regional Administrator**
2050 Art Museum Dr., Suite 108, Jacksonville, Florida 32207
Phone: 904-348-2610 Fax: 904-348-2634
- 3 Kevin Tiller, Regional Administrator**
855 Camp Road, Cocoa, Florida 32927-3709
Phone: 321-504-2034 Fax: 321-504-2041
- 4 Sheila Roberts, Regional Administrator**
3601 N.W. 167th Street, Miami, Florida 33056
Phone: 305-620-3737 Fax: 305-628-6815
- 5 Helen Williams-Lester, Regional Administrator**
1313 North Tampa Street, Suite 310, Tampa, Florida 33602
Phone: 813-233-2530 Fax: 813-233-2553

History of the Parole Commission

~71 Years of Service to the Citizens of Florida~

In **1868**, overcrowding, the high cost of housing, and public pressure for better treatment of prisoners led to the creation of the first Pardon Board.

In **1885**, the Pardon Board, as it exists today, and consisting of the Governor and Cabinet, was created by the Florida Constitution as a result of influence-peddling in the pardoning of prisoners.

In **1941**, the Florida Parole and Probation Commission was created to provide greater protection to the citizens of the State by having the Commission and the Pardon Board function independently without impairing the duties of the other.

- The Commission was responsible for providing judges with pre-sentence investigations which included the circumstances leading to the offenses, the offenders' past history, family information, home life, and other pertinent facts. The Commission acted in this capacity for 34 years.
- The Commission supervised all inmates on probation and parole for 34 years.
- The Commission acted as the "appeals court" for driver license reinstatements and collected filing fees. The Commission acted in this capacity for 17 years.
- The Commission was the Interstate Compact administrative coordinator between Florida and all other states. The Commission acted in this capacity for 58 years.

In **1963**,

- The Commission received an additional duty of setting fixed termination dates based on a variety of risk factors for those committed by the court with an indeterminate sentence. The Commission acted in this capacity for 5 years.
- At the request of the Division of Corrections, the Commission also conducted security investigations on individuals having contact through correspondence and personal visits with inmates. The Commission acted in this capacity for 12 years.

In **1967**,

- The Commission approved work release. Prisoners were released from jail during the day for suitable employment and returned at night. The inmates were counseled and supervised by the Commission's field personnel. The work-release

program was a cooperative venture between county officials, the courts, the sheriffs, and the Commission. The Commission acted in this capacity for 12 years.

- Under special legislative enactment, the Commission screened individuals by assessing risks for the Indigent Bail Bond Program or ROR. The Commission acted in this capacity for 8 years.
- The Florida Legislature enacted Mandatory Conditional Release. This required those inmates who were not released on parole and who had more than 180 days of “good time” remaining on their sentences at the time they were released from prison, to be under supervision until the end of the sentence imposed by the court.

In **1968**, the Commission implemented the Community Service Program. Florida was the first state to establish a statewide Citizen Volunteer Program, whereby citizens in the community assisted parolees’ and probationers’ readjustment to community living. By 1975, the Florida Parole and Probation Commission had the largest volunteer program of its kind in the nation with over 4,200 active volunteers. The Commission acted in this capacity for 6 years.

In **1971**, the Commission established a statewide network of Multi-Phasic Diagnostic and Treatment Centers which provided in/outpatient services for youthful offenders. The Commission acted in this capacity for 3 years.

In **1973**, the Commission launched a Pre-trial Intervention Pilot Program for 2 years.

In **1975**, supervision of offenders was transferred to the newly-created Department of Offender Rehabilitation, now the Department of Corrections.

In **1976**, the Florida Legislature enacted the Mutual Participation Program known as “contract” parole. It encouraged inmates to seek self-directed rehabilitation. Contract parole was made available to all youthful offenders and other non-violent parole eligible inmates who earned parole through the setting and accomplishing of measurable program objectives.

In **1978**, the Florida Legislature enacted the Objective Parole Guidelines Act, which required the Commission to develop and implement rules and criteria upon which parole decisions were made. It required the development of guidelines according to an acceptable research method based on the seriousness of the offense and the likelihood of a favorable parole outcome.

In **1983**,

- The Correctional Reform Act for compulsory conditional release provided an emergency release mechanism to address prison overcrowding. This compulsory supervised release program was the predecessor to Control Release.
- Sentencing guidelines were adopted. Parole was abolished and retained only for certain crimes and for those offenses committed prior to the change.

In **1988**, the Commission was given new responsibilities:

- The Victim Assistance Law provided that the victim, or family of the victim, have the opportunity to provide input into the decision-making process; and,
- The Conditional Release Program, created in 1989 as section 947.1405, Florida Statutes, identified offenders who posed the greatest risk to society and mandated that they be released on Conditional Release supervision.

In **1989**, the Legislature designated the Commission as the Control Release Authority. This law directed the Commission to develop a system of uniform criteria to determine the number and type of inmates to be released into the community to maintain the State's prison population at less than 99% of the total capacity.

In **1992**, the Florida Legislature created the Conditional Medical Release Program. This program authorizes the Department to recommend to the Commission "terminally ill or permanently incapacitated" inmates for early release due to their medical conditions. It is the Commission's responsibility to determine which inmates will be released and what conditions to impose on that releasee.

In **1996**, the Commission began reviewing and establishing presumptive parole release dates (PPRDs) for inmates convicted of capital felonies with 25-year mandatory minimum terms. These cases are often more complex and involve input from the inmates' representatives as well as the victims' families and law enforcement.

In **1997**, legislative changes and court opinions further impacted the Commission.

- The Florida Legislature enacted SB 258, which allowed the Commission the option to change the review time from within every two years to within every five years when setting subsequent interview dates. This applied to any inmate convicted of Murder, Attempted Murder, Sexual Battery, Attempted Sexual Battery, or who was sentenced to a 25-year minimum mandatory sentence as previously provided in section 775.082, Florida Statutes, and who the Commission found that it was not reasonable to expect that parole would be granted.
- The Florida Supreme Court issued its final opinion in the case of *Florida Parole Commission v. Cooper* regarding eligibility criteria for releasees. The decision required the Commission to re-calculate maximum post-release supervision dates for all conditional releasees.
- The Conditional Release statute (section 947.1405, Florida Statutes) was amended to include enhanced conditions of supervision for sex offenders, i.e., participation in annual polygraph examinations, prohibitions against operating a motor vehicle or using a post office box, submission to an HIV test, and electronic monitoring.

In **1998**, the Legislature passed the Jimmy Ryce Involuntary Civil Commitment for Sexually Violent Predators' Treatment and Care Act. This act established legal procedures for committing sexually violent predators to the Department of Children and Family Services for control, care, and treatment until such time as the person can be safely returned to the community. The Commission's Victims' Services, the Office of the Clerk and Revocation Sections' staff provides information to the Department of Corrections to assist in its notification responsibilities.

In **2001**, the Legislature created the Addiction Recovery Supervision Program and placed it under the Commission's administration. This program targeted a population of offenders who posed the least risk to society and had the greatest potential for successful substance abuse recovery through treatment and transition assistance. This program requires mandatory post prison supervision for offenders released from a state correctional facility, who are convicted of a crime committed on or after July 1, 2001, and have a history of substance abuse addiction, or have participated in any drug treatment, and have not been convicted of a disqualifying offense.

In **2006**, the Legislature passed HB 7145 which made significant changes relative to seaport security, including access control (Chapter No. 2006-193, Laws of Florida). Effective July 1, 2006, the Florida Department of Law Enforcement (FDLE) established a waiver process allowing individuals denied access to, or employment within, restricted access areas of the seaports due to disqualifying criminal history factors, to seek to obtain unescorted access to the seaports, if specific requirements were met. The Commission was charged with the task of conducting fact-finding investigations for FDLE when making a determination to deny or grant a waiver request. The Commission acted in this capacity for five years.

In **2007**, the Governor and Cabinet, acting as the Board of Executive Clemency (Board), made significant changes to the Rules of Executive Clemency. These changes greatly expanded the number of ex-offenders eligible to have restoration of civil rights (RCR) without requiring a hearing.

- State Senator Frederica Wilson (D-Miami) earmarked a \$50,000 one-time appropriation beginning July 1, 2007, to fund RCR community outreach efforts. This funding was provided to enhance the policy changes implemented by the Board on April 5, 2007, and to allow the Commission to inform as many ex-offenders as possible of the new automatic RCR eligibility rules.

In **2010**, SB 200, a victim-friendly bill sponsored by Senators Carey Baker and John Thrasher, was passed and became law July 1, 2010 (Chapter No. 2010-95, Laws of Florida), authorizing the Commission to increase the interval between parole subsequent interviews to from within two years to within seven years for parole-eligible offenders who were convicted of murder, attempted murder, sexual battery, or attempted sexual battery, or who are serving a 25-year minimum mandatory sentence under section 775.082, Florida Statutes.

In **2011**, the Board made significant changes to the Rules of Executive Clemency, including the Restoration of Civil Rights.