



FLORIDA PAROLE COMMISSION

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Commissioner/Secretary

FLORIDA PAROLE COMMISSION Monthly Accomplishments' Report October 2012

~CHAIR'S MESSAGE~ Tena M. Pate

October 2012 was filled with many key events critical to the Commission's mission. First, the Commission had another busy hearing month scheduling three parole hearings on October 10, October 17, and October 31. Also, recently, as part of my ongoing education initiative, the Commission now holds an "Other Business Matters" discussion in the afternoon of the first Commission hearing held in each month. This is done to: facilitate better communication between the three Commissioners and senior staff; keep the other Commissioners up-to-date on current events affecting the Commission without having to wait for a scheduled FPC Business Meeting; and foster the discussion of policy, suggestions and ideas in an open and transparent setting.

18th Judicial Circuit's Annual Victims' Rights Luncheon

On October 10, it was a pleasure to travel to Lake Mary in Seminole County to serve as the Keynote Speaker for the Victims' Rights Luncheon and Retirement event for Norman R. Wolfinger, State Attorney, 18th Judicial Circuit. I have had the privilege of working with Mr. Wolfinger over the years in raising the awareness and promoting the rights of crime victims prior to joining the Florida Parole Commission. I was given the distinct honor of renaming a leadership award that is given to a deserving individual in Seminole County each year, the *Norman R. Wolfinger Leadership Award*. Mr. Wolfinger is widely known by many in this State as Florida's "Father of Victims' Rights."

Another reason this trip was so special for me and the Parole Commission was because Daphne Asbell, the Commission's Victims' Rights Coordinator, was selected to receive a "Special Recognition Leadership Award." Daphne was not only recognized for her work as an advocate for victims, but also for her nurturing personality as she has provided numerous victims with kindness and compassion through the years. She also credited with removing much of the "mystery" in the bureaucratic process associated with parole and clemency hearings as she translated those processes into laymen's terms - thus further reducing stress on the victim by providing easily understandable information. Daphne is deserving of the many honors she receives for doing such an admirable job and we are grateful here at the Commission to have such a valuable and loved employee.

FPC Audit 2013-033 Released by the Auditor General

In October, staff of the Office of the Auditor General, met with the Chair and Senior Leadership and provided the Commission with their soon to be released (November 2012 Report 2013-033) findings from its audit of the Florida Parole Commission. The Commission is pleased to report that there were no audit findings in the categories for "Payroll, General Expenditure Processes, or Prior Audit Findings," and no errors were found in the Commission's Restoration of Civil Rights' (RCR) eligibility determinations.

FPC 2013-14 Legislative Budget Request submitted; Posted to the Fiscal Portal October 15

On October 15, the Commission submitted its FY 2013-14 Legislative Budget Request to the Executive Office of the Governor and the Legislature, which was posted to the Fiscal Portal that day. The Commission only has two funding issues that it will be requesting funding for during the 2013 Legislative Session.

First, the Commission is requesting \$38,500 annually to pay for the Tampa Region Office space rent and is requesting that amount in recurring funding beginning July 1, 2013 for FY 2013-14 and each year thereafter. Section 944.012 (5), Florida Statutes, requires the Commission, where possible, to co-locate the Commission's field offices within the Department of Corrections' (Department) institutions. Prior to 2012, the Commission's Tampa Region Office was co-located in the Hillsborough Correctional Institution at no cost to the Commission. The passage of legislation in the 2012 Session resulted in the closing of the Hillsborough Correctional Institution (HCI) and left the Commission no choice but to seek office space elsewhere for its employees. While requested, the Department did not have office space available in the Tampa area to meet the Commission's operational needs.

On June 22, 2012, the Commission's Tampa Region Office completed its move into the state-owned Park Trammel Building, at a cost of \$38,500 annually. The Commission does not currently receive funding for rent for its field offices.

The Commission's second 2013 budget issue involves funding for travel expenses related to an "Out of Town" hearing vote. Section 947.06, Florida Statutes, requires the Commission to hold hearings in various counties throughout the State to facilitate the ability of victims and other persons to attend Commission hearings with less stress and cost to the individuals. The Commission is not funded for the Commissioners and necessary staff to travel to counties throughout the State to hold such hearings.

In recent years, the Commission has not been able to meet the statutory requirement for holding hearings in various counties throughout the State other than Leon County. In FY 2010-

11, the Commission "Expense" funding category was reduced by \$150,000. As a result, in FY 2010-11, the Commission was only able to hold one (1) hearing outside of Leon County.

The cost to hold a Commission hearing in a county other than Leon County is approximately \$5,000. The Commission is requesting for FY 2013-14, \$15,000 in annually recurring funds to pay for three (3) Commission hearings to be held in other counties beginning July 1, 2013.

FPC Presents LBR at October 31 OPB Media Event

October 31, Brian Logan, the Commission's Legislative Affairs Director, presented the Parole Commission's Legislative Budget Request (LBR) for FY 2013-14 at the Annual Media Event sponsored by the Governor's Office of Policy and Budget along with all of the representatives from the State's criminal justice agencies, the courts and JAC, the Public Defenders and State Prosecutors, the CCRC's, and the Guardian Ad Litem Program.

Holiday Season Approaching Fast!

I would like to take a minute and reflect thus far on our year together. We have come through a lot together. Some of us have lost loved ones; the Commission has lost several beloved co-workers from here as well as our sister agencies; others have gained precious new ones; some of your kids graduated with you gaining the infamous 'empty nest'; while others have little ones just starting school. I know this because you have taken the time to share your stories, and I am grateful for that.

And our Commission family has changed. In 2012, we bade farewell to Commissioner David as her term came to an end, and we welcomed Commissioners Bernard Cohen and Melinda Coonrod. We are very fortunate to have these commissioners serving the Parole Commission. And we opened our arms to welcome new team members while saying goodbye to others. With so many changes having occurred through this year, I want to thank you for the supportive way you have embraced and responded to change in such a positive way.

As we enter the Holiday Season, I want us to challenge ourselves to once again think beyond ourselves, as you have done so unselfishly in the past...to always be aware of those around us...and to always be sensitive to others who may not be as fortunate.

And last, I simply love serving along side of you.

Tena M. Pate
Chair

COMMISSION SECTION ACCOMPLISHMENTS

Operations

Shana Lasseter, Director

- On October 4, 2012, Commissioners Cohen and Coonrod, along with numerous FPC staff members, enjoyed a tour of Wakulla Correctional Institution (WCI) in Crawfordville, Florida. Warden Jimmy Coker and his staff welcomed the Commission and provided a guided tour of the facility. Of particular interest to the Commission was WCI's faith and character based training programs available to inmates. Commission staff was able to get an up close and personal view of some of the educational classes in action such as Life Mapping, Personal Development, Mentoring, Re-entry and Healthy Choices. The WCI is an impressive facility, and the Commission congratulates the Department of Corrections and Warden Coker on the institution's many successes.
- During October, a workgroup comprised of Gina Giacomo, Kim Dickey and Shana Lasseter met to discuss research on conditional release supervision for Chair Pate. The group pulled a one year sample of conditional releasees and has begun to analyze commonalities among violations. Specifically, the group will look for commonalities among officers, violations, program participation, or the lack thereof, locales, behaviors, and any other thing or issue that may identify an area of concern. The project is ongoing.
- On October 18, 2012, the Commission participated in Florida State University's College of Criminology and Criminal Justice Internship Fair on FSU's campus. The event provided a great opportunity to promote our agency and the diverse career opportunities in the field of criminal justice. With over 70 students in attendance, the event was also a great opportunity to recruit interns! Many thanks to Kim Dickey and Jeff Rollins for representing the Commission at this affair.
- Highlight from Operations Conference Call 10/25: Violation reports submitted to the FPC often include recommendations from CPOs for revocation of supervision. DC recently issued a memorandum to all CPOs reminding officers and supervisors to consider graduated sanctions, if appropriate, when reporting violations to the Florida Parole Commission. Unless the offender is a threat to public safety or other factors exist that warrant return to prison, the officer should consider recommending the offender remain on supervision with special conditions added that will proportionately address the offender's noncompliance. This could include a recommendation for treatment, more intense supervision (curfew, more frequent drug testing, community control or electronic monitoring), or some form of punitive condition added, e.g. community service hours.

- Provided updated clemency information flyers to the Department of Corrections for distribution to: (1) inmates in transitional programming within state prison, (2) inmates upon release from state prison, (3) offenders at the onset of community supervision, and (4) offenders being discharged from supervision. The FPC Miami field office was instrumental in creating a Spanish version of the document, which was also provided to the Department of Corrections.
- Discussions have been held and preparations are underway for updates to the FPC Website. The modifications are designed to allow supporters of both victims and inmates to submit correspondence to the Commission via the website.

Office of the Commission Clerk

Cases Docketed:

Parole	179
Conditional Medical	3
Conditional Release	593
Addiction Recovery	121
TOTAL	896

Month	Paroles		Conditional Medical Release	
	Granted	Denied	Granted	Denied
October	2	2	3	0

Case of Interest:

Gerald Russell, DC# 085387, had an Effective Interview scheduled for October 17, 2012. During the October 17, 2012 hearing, the case was referred to the October 31, 2012 docket. On October 31, 2012, the Commission agreed to parole Gerald Russell to the NOAH Community Outreach program.

Mr. Russell was an airline pilot at the time of his crime, and was involved in an affair with another pilot's wife. The victim (the other pilot) was accompanied by an employee of his company and was returning home. Upon his arrival he observed a bicycle and a suspicious person in the front yard. The victim armed himself with his two shot derringer from his briefcase and then proceeded to drive his vehicle into the driveway, lighting up the area. Inmate Russell immediately stepped from the shadows and began firing at the victim. The victim returned fire, was shot several times and died on the scene. The employee of the victim's company was able

to give a brief description of Mr. Russell's clothing. He was arrested on February 27, 1982. On July 29, 1982, Mr. Russell was sentenced to Life in Prison for First Degree Murder with a Firearm from Dade County.

During his 30 year term of incarceration, the subject received one disciplinary report (DR) in 1989, and remained DR free for the remainder of his prison term. Mr. Russell earned numerous certificates for program participation while incarcerated and completed the FIU Transition Program. The subject is 70 years old. This is his first release on parole.

Imaging

- Monthly totals for Imaging Inmate Records (IRIS)

Completed Documents	October 2012
	8,725

Revocations

Statistics:

Warrants Issued	167
Cases Reviewed and Prepared for Docket	130

(Includes Parole, Conditional Medical Release, Conditional Release, Addiction Recovery Release and/or Control Release)

Featured Case:

- On April 16, 2012, the Commission granted Conditional Medical Release to Inmate Bryon Reddick, DC#721433. On August 16, 2012 a warrant was issued for violation of Conditional Medical Release based upon information provided by his supervising officer that Reddick was leaving his residence for purposes other than medical or religious functions, and failing to submit to substance abuse testing. After further review of this case, it was discovered that Reddick was leaving his residence on a daily basis, and was abusive to staff at the facility at which he was residing. This abuse of staff led to Reddick being charged by local authorities with Battery on Detention Facility Employees with Fluids. He has a trial date set for December 17, 2012. On October 31, 2012, the Commission revoked Reddick's Conditional Medical Release supervision and returned him to state prison.

Personnel:

- Select staff members continue to work on the OPS project in the Office of Executive Clemency.
- Jamil Jefferson accepted the Revocation Specialist position vacated by Megan Higgins.
- Parole Commission staff toured Wakulla C.I. on October 4th. Warden Coker personally took staff on the tour, assisted by Assistant Warden Sorey and Chaplain Fox. Staff was introduced to the faith-based, GED, and other classes available to the inmates.

Victims' Services

	October 2012
Victims' requests for information on parole, conditional release, and conditional medical cases	453
Victims Located	113
Status updates to victims on parole, conditional medical and clemency cases	673
Assisted victims who attended parole or clemency hearings.	55

Personnel:

- Dawn Mikola is working on the clemency cases for the upcoming December hearing to make sure that victims have a voice in the clemency process.
- Megan Gocs attended a fund raiser with the Big Bend Victim Assistance Coalition (BBVAC). This event was held to raise money to assist victims who don't qualify for assistance through the Victims Compensation Program in our region.

Field Services

Field Services' Statewide Activity Totals

	October 2012
Monthly Interviews and Hearings Conducted:	
Parole Interviews	110
Revocation Interviews	235
Revocation Hearings	72
Total Interviews and Hearings for the Month	417

Region I:

- Regional Administrator Tom Hamilton chaperoned a group of high school students from Wakulla High School to the University of South Florida, University of Central Florida, and the University of North Florida on October 11th and 12th for the students to attend tours of the campuses. They also attended a college fair in Jacksonville on the 13th.

Region II:

- Parole Examiner Cliff Rowan attended the FDLE certification training on September 27, 2012 and was certified on October 4, 2012.
- On October 17, 2012 at the monthly staff meeting Regional Administrator Mills Rowland conducted training on both With and Without a Hearing Clemency Investigations.
- Regional Administrator Mills Rowland is in the process of completing the background investigations on 2 applicants from the recent application pool utilized in July 2012 to fill the anticipated vacancy when Parole Examiner Eric Baker retires.

Region III:

- Regional Administrator Kevin Tiller attended the Brevard County Public Safety Coordinating Council meeting in Viera, FL.
- Regional Administrator, Kevin Tiller attended the DC Community Town Hall meeting in Orlando, FL.
- Parole Examiner Felix Ruiz will speak on RCR at Sumter C.I. during a re-entry seminar.

Region IV:

- October 2, 2012, RA Sheila Roberts and Parole Examiner Tara Tracey attended a Department of Corrections Town Hall Meeting held at Indian River State College in Ft. Pierce, Florida, with specific focus on “Partnering for Fewer Crimes, Less Victims, and Safer Communities.”
- On October 4, 2012, Parole Examiner Supervisor Jayne Hayden attended the FSECC Information seminar in Broward County.
- On October 9, 2012, four (4) students from Keiser University enrolled in Introduction to Corrections visited Lauderdale Lakes Probation Office to observe the daily functions of a probation office. Parole Examiner Richard Konior spoke with the students briefly about

the Parole Commission's mission, duties and responsibilities as Florida's paroling authority. As a result of his participation, on October 10, 2012, Probation and Parole Staff for the Department of Corrections presented Richard with a certificate for services Above and Beyond. Congratulations Richard!

- On October 16, 2012, Staff Assistant Marlene Schreiber completed translating the RCR Information Sheet to Spanish. She did a great job! Thanks also go out to Parole Examiners Leris Calderon and Ana Mizioznikov for their assistance in translating the form.

Region V:

- FDLE on-Site compliance audit was conducted at the Region V - Arcadia Office on October 18, 2012.
- FCCD
 - Chapter I, Hillsborough County, held their first meeting on September 27, 2012 at Park Trammell Building. Officers were nominated with elections set for the next meeting on October 23, 2012 at DJJ. Cathy Aylstock was nominated as President Elect. Membership applications are available from Melinda Strickland or Cathy.
 - Cathy Aylstock and Robert Read attended the FCCD, Chapter I meeting at DJJ on October 23, 2012. Cathy Aylstock was elected as President Elect.
 - FCCD is collecting food donations for the Metropolitan Ministries Food Drive until November 9, 2012 for distribution for the Thanksgiving Holiday.
- PERC (Pinellas Ex-Offender Re-Entry Coalition)
 - The annual Showcase of Services for ex-offenders was held at Pinellas Technical Education Center (PTEC), St. Petersburg, FL on October 19, 2012. Kip Astrom, Melinda Strickland, and Cathy Aylstock attended and represented FPC. There were 307 participants and FPC staff assisted approximately 50 people answering questions about clemency.
 - Kip Astrom attended the September 27, 2012 PERC meeting. At the meeting was a West Care Gulf Coast representative discussing their ex-offender programs and services that they offer. Other information provided included the Sun Coast Center Online Charity Auction; Healthy Start Baby Shower set for October 27, 2012 in St. Petersburg; and the Red Ribbon for Drug Rehabilitation meeting at Straw Park in St. Petersburg, Fl. on October 27, 2012. St. Petersburg College interns are looking for locations to serve. PERC can be found on Facebook.

- OTHER

- All computers in Region V have been upgraded to Windows 2007.
- On October 20, 2012, Helen Williams Lester was a guest speaker at Springfield College in Tampa, Florida. The topics covered included the duties and functions of the Florida Parole Commission and the Clemency process.

Division of Administration
Gina Giacomo, Director

The Division of Administration's primary accomplishments in the month of October 2012 included: drafting of a response to the Auditor General; drafting a new "Mail" and "Visitors" policy; submission of the Administration Business report; conducting research on multiple subjects; drafting and submission of the FY 2013-14 LBR to the Governor, Cabinet, and Legislature; and overseeing the drafting of the NCIC/FCIC audit response.

Additionally, Division employees attended training on FACTS - the statewide contracting system, Fire Prevention, and My Florida Marketplace, and attended the Interagency Advisory Council Meeting, purchasing meeting, HR meetings, and Directors of Administration meeting. Other projects included providing staff with safety tips as the agency's safety coordinator; participation in the work group for automating the commissioner's docket and electronic files; and completion and submission of the *State Purchasing Training Needs* survey, the Word 2007 Survey, and the Risk Management survey.

Office of Clemency Investigations
Steve Hebert, Director

Pending Clemency Cases October 1, 2012

Types of Clemency Cases	October 2012
RCR Cases	18,196
Without a Hearing Cases (6,548)	
With a Hearing Cases (11,648)	
Non-RCR Cases*	7,407
Total Pending Clemency Cases	25,603

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

NOTE: In addition to the 25,603 pending clemency cases, there were also 737 EOS/TOS RCR cases for a total of 26,340 pending clemency cases. These EOS/TOS cases are known to be ineligible since they do not meet the RCR eligibility requirements of either the 5 or 7 year waiting period of the amended Rules. However, there is still a workload component involved in processing these cases as ineligible in our clemency database which will include data entry and generation of letters to be mailed to all individuals.

- On October 12, 2012, the Director of Clemency Investigations, along with Chair Pate and other Leadership Team members, participated in an information-sharing meeting with the Secretary of State, Division of Elections, regarding the Restoration of Civil Rights process and voter registration application and removal process.
- On October 16, 2012, the Director of Clemency Investigations provided training to the Regional Administrators and Supervisors during a conference call to include procedures related to clemency investigations and the Rules of Executive Clemency.
- On October 18, 2012, Parole Examiner Jeff Rollins joined Revocations Supervisor Kim Dickey to represent the Commission at Florida State University's College of Criminology and Criminal Justice internship fair in Tallahassee, Florida. They had an information table with Commission pamphlets, flyers, and brochures, and answered questions regarding internship opportunities with the Commission and educated students to the functions of the Commission.
- Prepared Confidential Case Analyses for the upcoming December 13, 2012 Clemency Board Meeting.
- Continued to review Restoration of Civil Rights cases for eligibility prior to sending them out to field offices for in-depth field investigations to be conducted.
- Conducted Request for Review investigations for commutation of sentence applications.
- Conducted capital punishment clemency investigations for death row inmates.
- Conducted quality assurance reviews of all clemency investigations completed by regional field offices.
- Assisted in the development of information in response to the preliminary findings of the operational audit of the Commission conducted by the Office of the Auditor General.

Office of Communications
Jane Tillman, Director

- The month of October 2012 was especially busy with preparing responses to numerous public records requests requiring additional research as well as providing public

information to the media and the public on the November 6, 2012, upcoming General Election, RCR issues, and all election-related data and requested information. Worked with several national and statewide media organizations throughout the month.

- Worked with the Governor's Communications, Legal, and External Affairs Offices' staff on public records requests and elections' related issues and information involving the Restoration of Civil Rights in Florida and its impact on the 2012 Election cycle.
- Worked with the Leadership Team in the preparation of the Legislative Budget Request.
- Prepared speeches and written documents as requested .
- Worked with the Senior Leadership Team in preparing a first draft of the Annual Report due December 31 to the Governor, Cabinet Members, and the Legislature .
- Attended a meeting of the State Agency Communications' Directors on Monday, October 29, Governor's Conference Room, chaired by Governor Scott's new Communication's Director Melissa Sellars. Each agency Communications Director reviewed their individual agencies' Legislative Budget Request for FY 2013-14 (LBRs) with the Governor's staff as they prepare to craft the language for the Governor's Fiscal Priorities for the 2013 Legislative Session. Also, there was a lengthy discussion of how affected Communications' Directors were preparing the State's and their individual agencies' responses to help the States of New York and New Jersey in the aftermath of impending Hurricane Sandy (which hit those States in the night of October 28 and the morning of October 29, 2012).

Executive Clemency

Julia McCall, Clemency Coordinator

- Status inquires continued to increase as expected as we neared the General Election on November 6, 2012. Every effort is being made to provide responses to status checks as quickly as possible via telephone and email responses and direct mailings. The search which was set up in 2008 site has had **1,018,695** visits as of this date, **798,415** actual searches for RCR grants with **84,553** names located and **55,775** printed. There are currently **374,809** certificates available online available for printing by the applicant. Deliverance of exceptional customer service remains a priority in this office.
- We continue to have temporary assigned staff to answer the telephones between the hours of 7:00 a.m.-8:00 a.m. and from 5:00 p.m.-7:00 p.m. up until and including the day of the election. We will also work until 10:00 p.m. that night to answer any calls from Supervisors of Elections or applicants.
- Since January 2012 and including October, the Office of Executive Clemency has received **38,489** calls on the 1-800 phone number. This total does not include calls direct to our posted office numbers.

- Preparations are being made for the upcoming December 13, 2012, Clemency Board Hearing. Agendas are being prepared with the names of the applicants whose cases will be heard, along with notification and instructional letters being sent to those applicants.

Legal Office
Sarah Rumph, General Counsel

Two court orders were received since our last summary. First is Gary Lee v. FPC. In this case the Commission had a parole violation warrant outstanding since 1982 for which Mr. Lee was finally brought back to Florida on in 2012 when he was done serving time in Mississippi. Mr. Lee challenged the service of the old warrant, the Interstate transfer processes, and the revocation proceedings. The Court rejected all of his arguments. (Good Job Mark!)

The second case is Arndt v. FPC. This also was a revocation of parole where the Commission's decision not to appoint counsel and the finding that he willfully and substantially violated were challenged. The Court upheld the Commission's findings, tearing apart the petitioner's argument that he wasn't capable of complying with his electronic monitoring requirements (because he forgot to carry his box) and therefore the violations were not willful.

Mark and I recently attended an informational session by the Attorney General's office that reviewed the developments and importance of e-discovery requirements. Because of these requirements, I want to take this opportunity to emphasize to you that **everything** is potentially discoverable. We have a duty to protect this data from possible destruction or manipulation. This includes keeping everything within the boundaries set by the Department and following all policies and procedures to the exact specifications. We must stay inside the backed-up and protected Department servers **so** that we can comply with any discovery requests if they are served. This is VERY IMPORTANT: If you have any questions, please discuss them with me. The Department's IT procedure manuals are accessible at: <http://fpcintranet/fpc/InformationServices.htm> on the lower right side of the page. Please review these policies.

Office of Legislative Affairs
Brian Logan, Director

- Worked on numerous constituent issues for Representatives and Senators, including incoming Speaker and Senate President, Rep. Weatherford, and Sen. Gaetz.

- Worked on finalizing drafts of the Commission's LBR due to the Governor's Office on October 15, 2012.
- Presented the Commission's Legislative Budget Request (LBR) and Long Range Program Plan (LRPP) to the media and public.
- Spoke with staff in the Senate President's office regarding the confirmations of Commissioners Cohen and Coonrod. Tentatively set-up meeting with President's staff for first part of November.
- Submitted the Commission's legislative proposals to Senate bill drafting in advance of the December deadline. Spoke with several Representatives about getting our proposals into House bill drafting.
- Attended a Florida "Smart Justice Group" press conference regarding their upcoming proposals for the 2013 Legislative Session.
- Visited the Wakulla Correctional Institute for informational and educational purposes.
- Met with Legislative Analysts in the House Criminal Justice subcommittee regarding the Commission's legislative proposals as well as to help with an interim project regarding Juvenile Parole.
- Had several lunch meetings with staff of Rep. McKeel, incoming budget chair for the House.
- Hired new staff assistant for the Legislative Affairs and Communications' Office at the Commission.