



FLORIDA PAROLE COMMISSION

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FLORIDA PAROLE COMMISSION Monthly Accomplishments Report November 2013

~CHAIR'S MESSAGE~ Tena M. Pate

November's activities at the Commission focused on educating both internal and external audiences and initiated by Legislative Affairs Director Kevin Reilly attending Committee Week. These committee meetings will continue monthly until regular legislative session formally convenes on March 4, 2014. Kevin serves as a resource to state law makers regarding Commission matters as we focus attention on our upcoming legislative priorities.

The Commission assembled for parole hearings and deliberated over various supervision, parole, and revocations cases. During public proceedings, the Commissioners make a variety of determinations regarding parole, from setting presumptive parole release dates to determining whether or not to authorize parole. We are currently preparing to host parole proceedings in Jacksonville in January to accommodate victims and their families and inmates families in the surrounding areas.

At the beginning of this year, I challenged every department supervisor to set long-term goals to be accomplished throughout the year. This month, senior leadership evaluated their priorities at a goal setting follow-up session and provided great outcomes to improving processes, identifying software to manage workload, and becoming 'paperless' by switching to electronic file input. Many of these goals have proven to be a cost and time savings to both the state and citizens of Florida.

In order to function as consistently and efficiently as possible, the Commission offers monthly training opportunities to employees. This month, I joined the communications staff to participate in media training hosted by the Florida Police Chiefs Association at the Florida Department of Law Enforcement. The training was a helpful refresher on how to interact with the media effectively in both crisis and everyday situations. Staff also participated in the second session of the Financial Fitness Program Lunch and Learn for our central office employees through the First Florida Commerce Credit Union Community Outreach Initiative. Additionally, central office employees were provided training on the Employee Assistance Program (EAP), which informed them of the EAP benefits available to state employees, including family counseling and useful personal assistance services. These trainings are offered to keep employees knowledgeable of new professional criminal justice practices and enrich their personal development.

We ended the month with Thanksgiving luncheons throughout our regions and headquarters to come together and show support to our dedicated staff. This gave employees an opportunity to interact with one another as well as members of leadership, which is important for overall morale and team building. With only one month left in 2013, the Commission will continue moving forward to complete another successful year. Please continue reading the November report for information on other Commission activities.

Respectfully,

Tena M. Pate
Chair

COMMISSION SECTION ACCOMPLISHMENTS

Operations Shana Lasseter, Director

- **Duval and Miami-Dade Votes in 2014** – The Commission holds hearings in Tallahassee at its Central Office location on most Wednesdays – approximately 36 times per year. In compliance with Florida law, the Commission also holds hearings around the state approximately three times a year to allow victims and other interested parties to attend without traveling to Tallahassee. Thus far, the 2014 Commission out of town votes are slated for Duval County in January and Miami-Dade County in May.

These are public hearings where inmates’ families, supporters, law enforcement, state attorneys or representatives thereof, victims and survivors of victims appear to speak on behalf of an inmate or in opposition. It is in these hearings that the true impact of criminal behaviors on a victim, an offender, a community or a society as a whole is realized; even after many years from the commission of the crime.

When the Commission paroles an offender, one of the special conditions of parole it imposes is that the parolee attends a Parole Commission hearing within the first year of release. The intent behind the imposition of this condition is for the parolee to witness just how serious the Commission takes these matters and how earning the grace of parole is not to be taken for granted. They, too, need to witness the impact of their crimes on the families on both sides of the issue – families who appear and plead for their loved ones, as well as the communities’ leaders who appear protesting their release.

Chair Pate believes that these hearings hold potential significant impact for more than just parolees, but also for juveniles and has reached out to Chief Judges in several judicial circuits requesting that juvenile judges be encouraged to impose a special condition of supervision for those involved in the juvenile justice system to attend a Parole Commission hearing. It is Chair Pate’s strong belief that the testimony provided at these public hearings can be a powerful tool in crime prevention measures for today’s youth.

- **Additional FPC Follow Up on Fraudulent Franklin C.I. Releasees** – In response to the unfortunate fraudulent releases from the Department of Corrections in October, the Commission reached out to FDLE to determine whether or not their investigation indicated that any parole eligible inmates were involved in the scheme.

This is vital information to the Commission inasmuch as the Commission monitors parole eligible inmates for years prior to their possible release and routinely extends or reduces the inmate’s presumptive parole release date based in part on institutional conduct. The knowledge that a parole eligible inmate was involved in this scheme would greatly affect how the Commission views and scores that individual’s case in the future.

FDLE reported back to the Commission that good progress was being made in the criminal investigation of the fraudulent scheme and that they have identified several inmates within the custody of the Department of Corrections who were involved. FDLE assured the Commission that as soon as it finalizes charges, the agency will be sure to provide the Commission with the names of the individuals identified by FDLE as participants in the scheme.

Office of the Commission Clerk

Cases Docketed:

Parole	97
Conditional Medical	0
Conditional Release	514
Addiction Recovery	71
TOTAL	682

Month	Paroles		Conditional Medical Release	
	Granted	Denied	Granted	Denied
November	0	1	0	0

Featured Case:

After serving a little more than twenty-nine years, the Commission granted Inmate Fallada the grace of parole. While on parole, Parolee Fallada followed all of the terms of supervision and was able to successfully reintegrate back into society. On November 20, 2013, Juan Fallada was scheduled for a supervision review. At that time, the Commission elected to terminate his parole supervision after exactly thirty-six years from the date of offense.

Imaging

- November 2013 totals for Imaging Inmate Records (IRIS):

Completed Documents	2,680
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Revocations

STATISTICS:

Warrants Issued	141
Cases Reviewed and Prepared for Docket	110

Include Parole, Conditional Medical Release, Conditional Release, Addiction Recovery Release and/or Control Release.

CASE OF INTEREST THIS PERIOD

Douglas Giles aka Douglas Crawford – DC#063905: In 1977 at the age of 18, Douglas Giles received his first conviction for Robbery, in the State of Florida, in which he received a 5-year prison sentence. He continued his criminal history by being convicted and committed to the Florida’s prison four more times, in which three were for Battery on a Law Enforcement Officer and the last for Aggravated Battery with a Deadly Weapon. Giles’ conditional release has been reinstated twice with the most recent being July 24, 2013, in which the Commission restored him to a non-secure residential program. After finding placement and being accepted into the program in October 2013, Giles was released to supervision and again, violated his conditional release supervision by threatening and getting into a fight with another resident of the program, at his first meeting. Therefore, he was removed from the program. Giles is currently awaiting his final revocation hearing which is scheduled for December 15, 2013.

Training

The Revocations Section received training Employee Assistance Program (EAP) webinar training and Confrontation and Conflict Resolution at Work.

Personnel Action

Avis Woods, Parole Technician, is no longer employed with the agency.

Victims’ Services

	November 2013
Victims’ requests for information on parole, conditional release, and conditional medical cases	192
Victims Located	47
Status updates to victims on parole, conditional medical and clemency cases	551
Assisted victims who attended parole or clemency hearings	42

Field Services

Field Services' Statewide Activity Totals

Monthly Interviews and Hearings Conducted:	November 2013
Parole Interviews	89
Revocation Interviews	197
Revocation Hearings	59
Total Interviews and Hearings for the Month	345

REGION I:

- COURTESY INTERSTATE COMPACT TASKS:
 - Region I performed one notice and one hearing.
- PENDING CLEMENCY CASES:
 - With a hearing: 669
 - Without a hearing: 120
 - Total Cases: 789
- TRAINING:
 - On 11/22/13 Examiner Sloan participated in a Re-Entry Seminar at Okaloosa CI.

REGION II:

- COURTESY INTERSTATE COMPACT TASKS:
 - Region II had three (3) request for Courtesy Out of State Preliminary Hearings.
- PENDING CLEMENCY CASES:
 - With a hearing: 901
 - Without a hearing: 150
 - Total Cases: 1,051
- TRAINING:
 - All of Region II attended the training webinar by Lindsey Novinich of the Employee Assistance Program (EAP). The webinar was on 11/8/2013 and 11/15/2013.
- COMMUNITY SERVICE:
 - Examiner Cliff Rowan is a volunteer through the Florida Gaurdian Ad Litem program in Columbia County.
 - Examiner Gary Fox is a volunteer and coach with the Special Population Activities Recreation Council (SPARC) in Volusia County.
 - Regional Administrator Mills Rowland is a Supervision Group Leader for the Stephen Ministry through the Beach United Methodist Church and the Church of Eleven22.
- MISCELLANEOUS:
 - FDLE conducted an onsite FCIC and Data Collection audit on 11/22/2013 at the Jacksonville Office, of which went well. The final report has yet to be provided by FDLE.

REGION III:

- COURTESY INTERSTATE COMPACT TASKS:
 - Region III received three requests for Probable Cause hearings.
- PENDING CLEMENCY CASES:
 - With a hearing: 1,077
 - Without a hearing: 134
 - Total Cases: 1,211
- PERSONNEL ACTION:
 - Plans formulated for filling anticipated vacancy in 2014 due to an examiner retirement.
- TRAINING:
 - All region staff completed the EAP training webinar.
- MISCELLANEOUS:
 - RA Kevin Tiller participated Sen. Siplin's RCR Community Event in Orlando on 11/9/13.

REGION IV:

- COURTESY INTERSTATE COMPACT TASKS:
 - 2 - Notice of Hearings
- PENDING CLEMENCY CASES:
 - With a hearing: 2,470
 - Without a hearing: 240
 - Total Cases: 2,710
- TRAINING:
 - On 10/29/13, Jayne Hayden attended Association of Paroling Authorities International (APAI) webinar, “Improving the Parole Process for Crime Victims and Survivors”.
 - On 11/08/13, Rich Konior, Sandie Pimental, Karyn Roth, and Cindy Zimmerman, Johnshay Footman, Ana Mizioznikov, Donald Henry and Cavell Mason, Tara Tracy, Vanna Cripps, and John O'Donnell attended the EAP webinar.
 - On 11/12 and 11/13, Ayesha Carson, Jayne Hayden, Sandie Pimental, and Rich Konior attended the 2 day Human Trafficking Training: The Realities of Modern Day Slavery, provided by Saint Leo University.
 - On 11/15/2013, Ayesha Carson, Marlene Schreiber, Leris Calderon, attended the EAP webinar.
 - On 11/20/13, our region had guest speaker from Florida Highway Safety and Motor Vehicle, Aaron M. Valentine, Bureau of Administrative Reviews, Field Supervisor, who provided staff with HSMV Training.

REGION V:

- COURTESY INTERSTATE COMPACT TASKS:
 - 3 requests for hearings received.
- PENDING CLEMENCY CASES:
 - With a Hearing: 1,176
 - Without a Hearing: 245
 - Total Cases: 1,411
- PERSONNEL ACTION:
 - Several Region V examiners are participating in the current OPS Project having started the week of 11/04/13.
- TRAINING:
 - Selected Region V Tampa staff attended the DAVID Seminar in Bradenton on 11/13/13, and will train coworkers in the new DAVID system.
- COMMUNITY SERVICE:
 - Region V staff gave food donations to FCCD Chapter I for the Metropolitan Ministries Thanksgiving Food Drive.
 - Cathy Aylstock and Melinda Strickland attended the 11/21/13, FCCD Chapter I monthly meeting in Park Trammell.
 - Jessica Ghent attended the Hillsborough County Public Safety Council Meeting on 11/15/13.
 - Patti Razor participated in the 11/9/13, Golf Tournament Fundraiser for Daystar Life Center Pantry in St. Petersburg. The monies provided 250 Thanksgiving baskets to indigent families.
- MISCELLANEOUS:
 - Region V staff enjoyed Thanksgiving dinner together following their November staff meeting.

Administration
Gina Giacomo, Director

The Division of Administration’s primary accomplishments in the month of November 2013 included: Achieved 100% prompt payment on invoices. Worked with each program area to develop employee evaluation smart measures, Coordinated employee survey and results of survey. Provided employees assistance with open enrolment and provided information on safety issues, Submitted the Revenue Cap for Fiscal Year End report, the MFMP 2013 Annual Purchasing report, the Comprehensive Annual Financial report, and the Government Registration Renewal for the VOCA grant. Completed the FLAIR Inventory Spreadsheet study and the DMS Facilities Maintenance survey. Coordinated statewide Employee Assistance Program training and Capital Insurance Agency providing information to Central office. Submitted request for updates to the Commissions websites. Division employees attended trainings/meetings on the following topics,

(1) FASAAD Administration, (6) Purchasing, (2) Human Resource, (3) CMS meetings, (1) P-card training, (10) SMART Expectations, and (5) Employee Assistance Program.

Office of Clemency Investigations
Steve Hebert, Director

Pending Clemency Cases December 1, 2013

Types of Clemency Cases	November 2013
RCR Cases	12,737
Without a Hearing Cases (1,478)	
With a Hearing Cases (11,259)	
Non-RCR Cases*	8,065
Total Pending Clemency Cases	20,802

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

Highlights / Accomplishments for the month of November 2013 for the Office of Clemency Investigations include:

- On November 8, 2013, the Director of Clemency Investigations joined the FPC Leadership Team for the final Follow-up Session on Strategy and Goal Setting for 2013. Updates on the progress and/or completion of goals for each office were provided, and plans for 2014 were discussed.
- On November 14, 2013, 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 November 20, 2013, the clemency database workgroup comprised of members from the Office of Clemency Investigations, the Office of Executive Clemency, and Tony Sullivan, Department of Corrections OIT, met to discuss strategies and plans to work toward creating a clemency file management system which will include scanned documents. On November 26, 2013, a “Documents” button was added to MACNet which is a new feature allowing all users, including field examiners, to view any associated court documents related to an application which may have been scanned into the system by central office.
- Assisted in the development of clemency information for the agency’s Annual Report as well as in the development of SMART Expectations related to new measures to be used in Performance Management.
- Conducted capital punishment clemency investigations and coordinated interviews for death row inmates.
- Conducted quality assurance reviews of all clemency investigations completed by regional field offices.
- Reviewed Restoration of Civil Rights cases for eligibility prior to sending them out to field offices for in-depth field investigations to be conducted, and conducted Request for Review investigations for commutation of sentence applications.

Office of Communications
Molly Koon Kellogg, Director

- Completed the Commission’s 2013 annual report and started the quote process to print.
- Continuing with pre-production of the Victims’ Services informational video.
- Continuing progress on the Commission’s new website.
- Attended media training hosted by the Florida Department of Law Enforcement.
- Drafted various employee informational messages regarding upcoming events and acknowledgements.
- Coordinated and responded to various public records and media requests.

Executive Clemency
Julia McCall, Clemency Coordinator

The Office of Executive Clemency continues to be able to advise new applicants within a very short time period of time regarding their basic eligibility for clemency and any options to our analysis. This is the first step in a 2-part

process. Meeting the basic eligibility requirements is extremely important as it enables the case to move to the investigative phase of the process.

We continue to pursue screening the Pardon and Firearm applications for basic eligibility with a major goal to eliminate those pending applications, so they, too, may move to the investigative stage.

At this time, we continue to assist the Office of Clemency Investigations with an audit of all pending cases in their office regarding continued eligibility. Cases found to be ineligible are closed and the applicants are notified by the Regional Field Examiners. This allows eligible cases to move forward more readily.

We are also ordering court documents for cases already situated in the field. By our office contacting the Clerks of Court for the basic required court documents, the field will be saved a very time consuming step.

Both offices working together as a team for the common goal of processing clemency in a timely and accurate manner has become a major goal for the upcoming year.

Note: It is important to understand that clemency is a two-part process. Getting through phase one is a positive step, but only part of the entire process.

WEBPAGE STATISTICS

- The Florida Parole Commission has received 1,245,213 hits with 937,901 searches for Restoration of Civil Rights (RCR) grants.
- 100,299 names were located and 63,300 certificates have been printed.
- Currently there are 375,378 RCR certificates available for printing through the www.FLrestoremyrights.com website.

Legal Office Sarah Rumph, General Counsel

The current Legal Team has successfully prevailed on litigation now for a combined 35 years, defending the Commission's actions in 1000's of cases.

1. Thomas v. FPC & DOC: Mr. Thomas' CRS was revoked due to a battery that was nolle prossed. The case was remanded by the Commission back to the hearing examiner for more evidence which was missing due to a failure of the arresting officer to not show at the original hearing. Once all evidence was complete, the releasee was found guilty and supervision was revoked. The court rejected Mr. Thomas' challenges to the reopening of the hearing and the evidence used to support the violation.
2. Benjamin v. FPC: Mr. Benjamin challenged an aggravator assessed in his initial PPRD for the death of the victim by strangulation and blunt trauma. The Court upheld the aggravation as supported by competent and substantial evidence in the record.
3. Lafavors v. DOC & FPC: In this case, Mr. Lafavors challenged the revocation of his CRS for theft of plants. The Court upheld the revocation based on competent and substantial evidence.
4. Moore v. FPC: This petition challenged several actions of the Commission on Mr. Moore's PPRD. For those challenges to the Commission's 1984, 1996 and 2004 actions, the Court dismissed the petition as untimely. For the Commission actions in 2012 extending the PPRD by 24 months, the Court denied the challenges as without merit.
5. Lafavors v. DOC & FPC: In this second Lafavors case, the releasee challenged the Commission's jurisdiction over him at the time of the revocation hearing. The Court rejected the contentions and upheld that the releasee was subject to CRS for the entire amount of gain time earned.
6. Diaz v. FPC: In this final case, the CRS was revoked for possession of cocaine and paraphernalia and for a violation of curfew. Mr. Diaz raised many arguments against the Commission's revocation and the Court rejected them all.

Office of Legislative Affairs Kevin Reilly, Director

- Participated in the November 2013-2014 Committee Week.
- Participated in the follow-up Strategy and Goal Setting Meeting to wrap- up department accomplishments for the year.
- Met with various legislators and staff to discuss proposed Commission legislation.
- Conducted ongoing legislative constituent relations regarding various Commission functions.