



FLORIDA PAROLE COMMISSION

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FLORIDA PAROLE COMMISSION Monthly Accomplishments Report

September 2013
~CHAIR'S MESSAGE~
Tena M. Pate

Featured Case

Inmate Johnny Johnson #112876 was convicted of First Degree Murder, Robbery, and Kidnapping on August 16, 1988. At the time of offense, the inmate was **fifteen** years old and the co-defendant was **thirty-two** years of age. It was determined that the victim, a 55 year old female, was bound, gagged, wrapped up and removed from her residence along with several belongings and her vehicle. The co-defendant had dated one of the former tenants of the location where the victim's body was found. In addition, police determined the identification of the inmate and contacted his mother, who reported he was in custody in North Carolina. When contact was made, the inmate implicated the co-defendant and himself in the kidnapping, robbery and murder of the victim. The inmate gave police details and locations of the crimes and the location of the victim's care, used to flee to North Carolina. Inmate Johnson received a Life sentence with 25 years minimum mandatory and 12 years running concurrent for the additional charges. The Commission reviewed Inmate Johnson's record during his effective interview on September 11, 2013. The State Attorney's Office appeared in support of Inmate Johnson's parole. The Commission agreed and established a parole date for Inmate Johnson for September 24, 2013.

Pending Clemency Cases October 1, 2013

| Types of Clemency Cases | September 2013 |
|-------------------------------------|----------------|
| RCR Cases | 13,001 |
| Without a Hearing Cases (1,613) | |
| With a Hearing Cases (11,388) | |
| Non-RCR Cases* | 8,000 |
| | |
| Total Pending Clemency Cases | 21,001 |

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

In other Commission news, the Florida Parole Commission kicked off the month of September by conducting our semi-annual business meeting allowing managers and leadership staff the opportunity to discuss our accomplishments and challenges over the last six months before the Commissioners. This meeting also gives us the ability to acknowledge our dedicated staff members who have served the state for many years, as well as the opportunity to introduce new agency employees. The following week we held our Florida State Employee Charitable Campaign (FSECC) Kick-Off event hosted by our very own Robby Holroyd, Kevin Reilly, Brittany Roberson, and able assistant Bonnie Davidson, who presented the new online FSECC program. They did an impressive job representing "Generation Me" while discussing various means to assist the community through charitable contributions. Many of our employees are planning to give to the campaign for the first time this year.

Continuing with our employee enrichment training series, Tony Sullivan and Jeffrey Rigdon conducted a website training class this month and discussed the “how to’s” of creating a functional and productive website. Participants were guided through a step-by-step website builder program which can be used to easily create a website for small businesses or personal use.

In mid-September, I had the honor of attending the invitation-only **Sayfie Review Florida Leaders Summit. Led by Justin Sayfie**, the Sayfie Review is an online website that provides updates and commentary on Florida political news. I was delighted to join decision makers across the state for the first “offline” meeting to discuss impactful issues facing our state. My favorite part of the summit was the breakout sessions where we discussed Big Hairy Audacious Goals (BHAG’s) in the areas of education, health, energy, water, transportation, and more. BHAG’s are a way for leaders to conceptualize goals for the future of Florida and begin making strides to achieve them.

Finally, I had the privilege of visiting North West Florida Reception Center (Institution) where I spoke with inmates regarding Restorative Justice; accepting and recognizing the harm they have caused their victims, families, and communities, in an effort to reduce further victimization and criminal offending.

In closing, I would like to thank the clemency staff for providing findings on more than 70 cases for the Executive Clemency Board meeting on September 25. As always, your commitment to providing precise, accurate and detailed information made the process run smoothly.

COMMISSION SECTION ACCOMPLISHMENTS

Operations

Shana Lasseter, Director

- **Business Meeting** – The Commission’s Semi-annual Business Meeting was held September 4, 2013, at the Commission’s central office in Tallahassee. As always, the meeting was productive and informative. In addition to standard Commission business, the Commission was fortunate to have presentations provided by: Department of Corrections Deputy Assistant Secretary Michelle Pyle who reported on current affairs and initiatives at the Department, and Department of Corrections Director of Health Care Services, Dr. Olubenga Ogunsanwo, who discussed with the Commission the impact of health care privatization on Conditional Medical Release referrals.
- **Relocation of FPC’s Region 3 Cocoa Field Office and Acquisition of Additional Offices in Region 4** – With the assistance of the Department of Corrections, the FPC Region 3 field office in Cocoa was temporarily relocated to the Titusville Probation and Parole (P&P) Office during the week of September 9, 2013 due to the closing of Brevard C.I. The Department graciously offered the alternative office space, at no cost to the Commission, until the Commission can move to its permanent location in Melbourne in 2014. Additionally, the Commission officially requested additional office space at Department of Corrections P&P properties in Miami and Ft. Lauderdale. The Commission currently occupies nine offices at the Miami location and five in Ft. Lauderdale and was approved for two additional offices at each location to meet operational needs. Chair Pate formally thanked the Department for the cooperation and assistance the Commission has been provided over the years relating to the matter of the Commission co-locating with the Department. The teamwork is truly appreciated.
- **Objective Parole Guidelines Committee** – During September, the committee provided Florida State University with initial score sheets for approximately 250 inmates paroled between 2004 and 2011. The FSU research team will enter the salient factor scores for each case into a database for comparison with recidivism data already on file. The committee meets consistently and has discusses topics including: RCF applications for juvenile offenses, calculating time in custody, rule revisions for matrix time ranges and assessment of aggravation and mitigation factors. Progress is expected to continue.

Office of the Commission Clerk

Cases Docketed:

| | |
|----------------------------|------------|
| Parole | 162 |
| Conditional Medical | 2 |
| Conditional Release | 708 |
| Addiction Recovery | 112 |
| TOTAL | 984 |

| Month | Paroles | | Conditional Medical Release | |
|------------------|----------------|---------------|------------------------------------|---------------|
| | Granted | Denied | Granted | Denied |
| September | 6 | 1 | 1 | 1 |

Imaging

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

| | |
|---------------------|-------|
| Completed Documents | 3,451 |
|---------------------|-------|

Revocations

STATISTICS:

| | |
|--|-----|
| Warrants Issued | 215 |
| Cases Reviewed and Prepared for Docket | 134 |

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

Richard Heagney, DC #068627 – In 1984, Richard Heagney was granted parole after serving approximately 4 years for Armed Burglary, in which he had received a LIFE sentence and Carrying a Concealed Firearm with a 5-year consecutive sentence. In July 2011, Heagney committed the offense of Sexual Battery on a Person less than 12 years of age, in Alachua County, Florida. The case involved him committing sexual battery upon a minor victim who was in his familial custody. He has been sentenced to LIFE imprisonment, in the Florida Department of Corrections, which resulted in his violation of parole. On September 25, 2013, the Commission revoked Heagney’s parole and he remains in custody with two consecutive LIFE sentences. This case will be reviewed on or about in January 2014, to establish the inmate’s new PPRD (Presumptive Parole Release Date) on his parole eligible sentence. For further information regarding a PPRD, please see our website or contact our Communications Office.

Personnel

At the Business meeting, Julia McGill received a certificate for 40 years of service with the agency and Gary Davis received a certificate for 5 years of service.

Victims’ Services

| | September 2013 |
|---|-----------------------|
| Victims’ requests for information on parole, conditional release, and conditional medical cases | 237 |
| Victims Located | 39 |
| Status updates to victims on parole, conditional medical and clemency cases | 615 |
| Assisted victims who attended parole or clemency hearings | 39 |

Field Services

Field Services' Statewide Activity Totals

| Monthly Interviews and Hearings Conducted: | September 2013 |
|--|----------------|
| Parole Interviews | 90 |
| Revocation Interviews | 203 |
| Revocation Hearings | 57 |
| Total Interviews and Hearings for the Month | 350 |

REGION I:

- COURTESY INTERSTATE COMPACT TASKS:
 - Region I performed four notices and one hearing.
- PENDING CLEMENCY CASES:
 - With a hearing: 694
 - Without a hearing: 140
 - Total Cases: 834
- TRAINING:
 - On 9/18/13 Examiner Sloan participated in a Re-Entry Seminar at Santa Rosa CI.
- MISCELLANEOUS:
 - On 8/12/13 Examiner Gallogly joined the Objective Parole Guidelines Committee.

REGION II:

- COURTESY INTERSTATE COMPACT TASKS:
 - Region 2 had seven (7) request for Courtesy Preliminary Hearings.
- PENDING CLEMENCY CASES:
 - With a hearing: 943
 - Without a hearing: 171
 - Total Cases: 1114
- PERSONNEL ACTION:
 - There were no personnel actions in September.
- TRAINING:
 - Regional Administrator Mills Rowland attended the DAVID Re-design Training on September 12 in Gainesville, FL.
 - Parole Examiners Gary Fox and Johnnie Sheffield both were re-certified as FCIC/NCIC limited access users.
- 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.

REGION III:

- COURTESY INTERSTATE COMPACT TASKS:
 - Region III received one probable cause hearing request during September.
- PENDING CLEMENCY CASES:
 - With a hearing: 1099
 - Without a hearing: 142
 - Total Cases: 1241
- TRAINING:
 - Will Whitehouse and Jolynn Linder completed FDLE online training on Human Trafficking on 9/12/13.

- Kevin Tiller attended FDLE eAgent Hands On training on 9/19/13.
- MISCELLANEOUS:
 - Region III Cocoa office moved out of Brevard CI and are temporarily using a Titusville P&P office until more permanent space is ready in Melbourne P&P.

REGION IV:

- COURTESY INTERSTATE COMPACT TASKS:
 - 2 - Notice of Hearings
- PENDING CLEMENCY CASES:
 - With a hearing: 2458
 - Without a hearing: 344
 - Total Cases: 2802
- PERSONNEL ACTION:
 - September 23, 2013, Cavell Latoya Mason started as an OPS Examiner in the Miami Office, prior to this appointment she worked directly with Miami staff in the area of Clemency Investigations as a volunteer. Ms. Mason is a recent graduate from Florida International University with a Master Degree in Criminal Justice.
 - Congratulations to Karen Roth, she received her Certificate/pin for five (5) years of continuous service with the Florida Parole Commission, this is her second period with the Commission; she previously served 10 years before taking a break.
- TRAINING:
 - During September 2013, Vana Cripps, Sheila Roberts and Tara Tracey in the Stuart; Jayne Hayden in Broward; and Leris Calderon, Ayesha Carson, Johnshay Footman, Cavell Mason in Miami completed an online FDLE Human Trafficking training and certification course.
 - Cindy Zimmerman completed her CJIS Recertification September 16, 2013.
- COMMUNITY SERVICE:
 - September 17, 2013, Jayne Hayden, Parole Examiner Supervisor in the Broward Office, and Johnshay Footman, Parole Examiner in the Miami Office, attended Keiser University, Ft. Lauderdale campus, Career EXPO. Approximately 40 students visited our booth, 20 of which indicated interest in our Internship Program.

REGION V:

- COURTESY INTERSTATE COMPACT TASKS:
 - 6 requests for hearings received.
- PENDING CLEMENCY CASES:
 - With a Hearing: 1216
 - Without a Hearing: 268
 - Total Cases: 1484
- PERSONNEL ACTION:
 - Rhonda Murphy has resigned from the Parole Commission and will be joining the Charlotte County Sheriff's Office effective 9/16/13. Region V staff held a farewell luncheon for Rhonda after their monthly staff meeting in September.
- TRAINING:
 - Jessica Ghent and Lori VanCamp participated in the online Human Trafficking course provided by FDLE.
- COMMUNITY SERVICE:
 - The school supplies given to the Palm River Elementary School, Kindergarten Class, delivered on time for the first day of school, was a pleasant surprise for the kids. They thanked Region V staff with a large poster of their handprints and names with a nice thank you message included.
 - Daystar in Pinellas County provides food, rent assistance and toiletries to indigent families. Region V staff will make donations through Patti Razor who will deliver them.
 - Cathy Aylstock and Melinda Strickland attended the 9/19/13 FCCD monthly meeting.

Administration
Gina Giacomo, Director

The Division of Administration's primary accomplishments in the month of September 2013 included: Achieving 100% prompt payment on invoices. The Commission was recognized this week by DMS for achieving the goal set for all state agencies in the Change Management Initiative focusing on employee expectations in People First. This initiative challenged 30 state agencies to acknowledge evaluation expectations by August 31st in an effort to promote accurate goal setting and annual evaluations for state employees. Not only did the Commission achieve 100% of the goal, but we set the pace of an average of 99 percent completion rate throughout the entire initiative process. With the assistance of the Leadership team completed the Commission's Long Range Program Plan. Presented Administrations Business report.

Provided a response to the Fire Marshal's report; Prepared Administration Annual report; submitted request for many updates to FPC websites and working with DOC IT to revise Commission website; Assisted with Employee Enrichment program; Submitted the bonus plan, Coordinated Diversity training; Assisted Cocoa region office in moving; Responded to the Performance Matters Initiative report; submitted the Commission Crime policy; Completed the Federal Audit Clearinghouse a Schedule of Expenditures of Federal Awards. Submitted the Comprehensive Annual Financial report; Arranged for Poppell Financial group to provide information on Deferred Compensation and First Florida credit Union to provide information on their services at central office.

Division employees attended trainings on the following topics, (2) FASAAD Administration, (9) Purchasing, (2) Human Resource, (3) FACTS training, (5) Diversity Training, (1) LASPBS training, (1) Interagency Advisory Council meeting and training, and (1) P-card meeting.

Office of Clemency Investigations
Steve Hebert, Director

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

- On September 3, 2013, Caroline Goodner, was hired as a Parole Examiner and will be conducting Restoration of Civil Rights eligibility investigations and quality assurance reviews.
- On September 5, 2013, this office provided a new resource, *Court Document Search*, for examiners conducting clemency investigations. This is a HTML resource for Examiners to use as an internal tool to provide an easy and convenient way to look up court documents and docket notes by county in the State of Florida and by state in the United States.
- On September 12, 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 September 14, 2013, Parole Examiner Jeff Rollins participated as the Race Director in this year's 32nd Annual 5K Run/Walk for Sickle Cell Anemia. Jeff has been the Race Director for the past five years and has volunteered countless hours for this event which raises awareness and funds for the Leon County Sickle Cell Foundation. The funds are used to assist clients of sickle cell anemia with the purchase of medication, transportation to doctor offices, sickle cell screenings, summer camp to Boggie Creek, and other related client services.

- On September 19, 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. This is a long term goal as other IT issues are a priority at this time.
- On September 25, 2013, the Governor and Cabinet, sitting collectively as the Clemency Board, held its third quarterly Clemency Board Meeting at the Capitol. The Commission completed and submitted 79 in-depth clemency investigations for Full Pardons, Firearm Authority and Restoration of Civil Rights for consideration by the Board. The Coordinator of the Office of Executive Clemency presented the cases to the Board, and the Chair provided detailed information related to the Confidential Case Analyses and processes to the Board Members in response to their inquiries.
 - This office researched the specific reasons why applicants requested restoration of their civil rights. We reviewed the 56 Restoration of Civil Rights cases heard at the September 25, 2013 Clemency Board Meeting. Several applicants indicated multiple reasons in their statements to our examiners, and the following information is a brief summary of what our research revealed:
 1. 86% of the applicants specifically indicated that they were interested in regaining their right to vote, sit on a jury or hold public office.
 2. 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.
 3. 11% of the applicants did not provide any specific reason for requesting their civil rights.
 4. 34% of the applicants voted in an election without having their civil rights restored.
- The Director and staff assisted in the development of clemency information and prepared a semi-annual report for the agency's Business Meeting held on September 4, 2013.
- Staff in this office assisted in the development of clemency information for agency reports such as the Long Range Program Plan, Performance Measures, and Legislative Budget Requests.
- 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

- Updated Commission PowerPoint.
- Updated commissioner biographies.
- Drafted restorative justice talking points for the Chair to deliver at the Northwest Florida Reception Center.
- Conducted the Commission's Florida State Charitable Campaign Kick-Off presentation.
- Continued progress on the Commission's website update.
- Drafted various employee informational messages regarding upcoming events and acknowledgements.
- Attended the September 25 clemency hearing.
- Coordinated and responded to various public records and media requests.

Executive Clemency
Julia McCall, Clemency Coordinator

The Office of Executive Clemency conducted a quick audit of 1,078 Without a Hearing cases pending investigation for eligibility in the Office of Clemency Investigations. It was found that 20 of those cases were not eligible and thus closed. The applicants will be notified of their change in status. This audit enables the eligible cases to progress through the investigative system in a more timely manner.

We have also audited approximately 300 pending With a Hearing cases and found that all of those cases are eligible; thus, they will continue to move through the process. This office intends to continually monitor and audit pending cases in an attempt to produce results as efficiently as possible.

WEBPAGE STATISTICS

- The Florida Parole Commission has received 1,218,849 hits with 921,932 searches for Restoration of Civil Rights (RCR) grants.
- 98,581 names were located and 62,464 certificates have been printed.
- Currently there are 375,341 RCR certificates available for printing.

Legal Office

Sarah Rumph, General Counsel

Some of the orders received this past month include:

1. Cardenas v. FPC: In this case, the control releasee challenged the 2006 revocation of his release credits, the forfeiture of gain time, and denial of credit for his time out on release. The Court denied all of his arguments.
2. Moffett v. FPC: In this parole case, the inmate was challenging that he did not have a meaningful parole hearing because he did not have an up-to-date psychological report. The court rejected this as a statutory requirement of the Commission. The Court stated that the statute requires the Commission review the entire record, including any reports that are already in there, and there was no indication that the Commission did otherwise. Some of the other arguments that the inmate attempted to raise were unclear challenges to his 1989 parole revocation. The Court dismissed these as barred, the delay having caused prejudice to the Commission.
3. Whited v. FPC: The parole-eligible inmate in this case was seeking an order for the Commission to place him in specific programming at Everglades Correctional Institution. The Court denied the inmate's request for relief and the inmate's specific challenges to the Commission's most recent action making no change to his PPRD.
4. Brash v. FPC: This case was unusual in that the inmate was seeking to have the Commission bar participation by the State Attorney in the Commission's public meetings as it related to his case. The Court rejected the inmate's arguments and found that there is no duty on the Commission to bar members of the public from their meetings and there is, in fact, a duty to the contrary since the meetings are public and open pursuant to the Sunshine Law.

Office of Legislative Affairs

Kevin Reilly, Director

- Assisting in restructuring the Objective Parole Guidelines with senior leadership and Florida State University.
- Assisted in drafting the 2014-2015 Long Range Program Plan.
- Met with various legislators and staff to discuss proposed Commission legislation.
- Participated in the September 2013-2014 Committee Week.
- Conducted ongoing legislative constituent relations regarding various Commission functions.