



FLORIDA COMMISSION ON OFFENDER REVIEW

(formerly Florida Parole Commission)

SERVING THE CITIZENS OF FLORIDA SINCE 1941

Monthly Accomplishments Report – August 2014

Chair's Message

Tena M. Pate

As our season transitions from summer to fall, we look forward to an additional change as we welcome new Commissioner Richard D. Davison to our FCOR family. Commissioner Davison, whom I've known for some time, brings with him a wealth of experience in the criminal justice field and we look forward to him sharing his knowledge and unique skills with us as we pursue our mission of public safety. At the same Cabinet meeting during which Commissioner Davison was appointed by the Governor and Cabinet, I'm happy to report that the Cabinet also appointed Commissioner Melinda N. Coonrod as Commission Vice Chair for a two-year term, and I was honored to be reappointed Commission Chair for a third two-year term as well.

On the training front, our Leadership Team and several of our future leaders learned from professional trainer Christy Crump some techniques for improving communication with our co-workers, which will translate into a more cohesive unit and a better work product. Her training showed us that we each have unique personality traits that give us a different perspective of the same work issues, and how to channel those differences into creative, positive outcomes.

Educating others about the role of the Commission on Offender Review is a passion of mine, and I had the opportunity this month to share our agency's multifaceted approach to public safety with other criminal justice professionals at the Prosecuting Attorney's Association Conference, the Florida Council on Crime and Delinquency Institute and the Attorney General's Advocacy after Conviction training. During the latter training, our Victim Services Supervisor Daphne Asbell and I focused on how vital the victim's assistance role is in the post prison release process, and the steps we take to ensure all victims are heard.

To that end, I would like to express my thanks to the Office of Attorney General, Bureau of Advocacy and Grants Management for awarding the Commission a Victims of Crime Act grant. Last fiscal year the Commission made 23,112 victim assists and these additional funds from the Attorney General's Office will bolster the support we can provide as we fulfill our mission of assisting crime victims throughout the post prison release process.

I encourage you to read all of the Commission's August accomplishments below.

Respectfully,

Tena M. Pate
Chair

Division of Operations

The Division of Operations is comprised of four sections: Revocations; Victims' Services; Office of the Commission Clerk; and Field Services. Twelve field offices are divided into five regional areas across the state. Operations is responsible for multiple, diverse functions relating to the administration of post-prison supervisory release programs. These supervised release programs include parole, conditional release, conditional medical release, addiction recovery, and control release supervision. The Division, through its Field Services' staff, conducts administrative hearings for violations of supervision, as well as clemency investigations for the Board of Executive Clemency.

Accomplishments: August 2014

- Preparations got underway during August for a two-day Commission Meeting in Tampa, Florida on October 22 and 23, 2014. The Commission hearings will be held at the Park Trammell Building in downtown Tampa as they have been in the past and are expected to be well attended. In conjunction with the out of town vote, Commissioners and staff will be visiting Sumter Correctional Institution as well as the NOAH Community Outreach transitional housing program in Tampa. Both of these visits will be educational for staff and especially beneficial to our newest Commissioner, Richard Davison.
- The Operations team continues to meet monthly via conference call to discuss a wide variety of topics, concerns, strategies and projects. The team consists of all Regional Administrators and Examiner Supervisors, the Supervisor of the Office of the Commission Clerk, the Revocations Supervisor, the Victims' Services Supervisor and the Operations Office Consultant. Often, the meetings involve special guests from other divisions such as Administration or Legal who avail themselves to the field representatives for questions and/or clarification on policies, procedures and otherwise. This community involvement and team approach ensures consistency and best practices throughout all regions in the state and fosters an environment where the field staff has a strong voice in decisions made within central office.

Office of the Commission Clerk

The number of cases docketed included:*

- Parole - 109 (2 granted, 2 denied)
- Conditional Medical - 3 (1 granted, 2 denied, 0 deceased prior)
- Conditional Release - 558
- Addiction Recovery Supervision - 100
- Total - 770

** Individual cases may be docketed multiple times throughout the year; therefore, docketed case totals may be higher than actual case totals.*

Imaging Inmate Records (IRIS): 2,668

Revocations

- Warrants Issued - 141
- Cases Reviewed and Prepared for Docket - 155*

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

Victims' Services

- Victims' requests for information on parole, conditional release, and conditional medical cases - 190
- Victims Located - 63
- Status updates to victims on parole, conditional medical and clemency cases – 471
- Assisted victims who attended parole or clemency hearings - 22

Field Services

Field Services' Statewide Activity Totals

- Monthly Interviews and Hearings Conducted:
- Parole Interviews - 96
- Revocation Interviews - 216
- Revocation Hearings - 58
- Total Interviews and Hearings for the Month - 370

REGION	I	II	III	IV	V
COURTESY INTERSTATE COMPACT TASKS	0	2	1	3	3
PENDING CLEMENCY CASES	With Hearing: 616 W/o a Hearing: 10 Total Cases: 626	With Hearing: 869 W/o a Hearing: 26 Total Cases: 895	With Hearing: 928 W/o a Hearing: 16 Total Cases: 944	With Hearing: 2,137 W/o a Hearing: 52 Total Cases: 2,189	With Hearing: 1,120 W/o a Hearing: 44 Total Cases: 1,164

Division of Administration

The Division of Administration provides administrative support to the Commission's Central Office and 12 field offices. Administration includes Human Resources, Finance and Accounting, Purchasing, Safety, Grants, Contracts, Inventory, Emergency Management and General Services.

Accomplishments: August 2014

- FCOR was the first and only agency to achieve 100% completion for completing performance evaluations; this could not have been accomplished without everyone working together.
- FCOR achieved 99% prompt payment compliance.
- The goal is for all agencies is to reduce the number of on demand payments to less than 1% of an agency populations, FCOR achieved 0% .
- FCOR Workers' Compensation, Federal Civil Rights and Employment, General Liability, and Automobile Liability costs /claims are lower than the statewide average by 5% or more.
- Submitted 38 requisitions, 8 Security request, 15 revisions to the website, approved 120 invoices and approved 31 purchase request.
- 19 areas revised based upon the Commissions name change.
- Received the 2014-2015 VOCA grant award with an increase of \$10,000.

Office of General Counsel

The Office of the General Counsel is charged with successfully prevailing on litigation filed against the Commission; providing quality legal advice and representation in a prompt manner; and engaging in proactive legal counseling to prevent unnecessary litigation in the future.

Accomplishments: August 2014

- McCaskill v. FPC: In this case, the former conditional releasee was violated for using alcohol and failing to obey the law ; he was convicted of DUI. He was arguing to the court that his revocation of supervision should be reversed because the DUI conviction was reversed and sent back for a new trial. The trial court upheld the revocation, finding that it was not based solely on the conviction.
- Travis v. FPC: This case was included because it is a follow-up after a *Thomas* remand was completed. The Commission added the record support for its reasons for the continued suspension and then reported the information to the court. Once the record was complete, the court rejected the inmate's challenges to the continued suspension.
- Markland v. FPC: The inmate was contending in this case that he has a right to an earlier initial interview. The court confirmed that the Commission has the discretion to conduct the initial interview at any point within 18 months prior to the expiration of the minimum mandatory.
- Crespo v. FPC: the parole-eligible inmate here generally challenged the Commission's authority and sought a declaration from the court that the Commission's rules were invalid. The court reviewed each of the Constitutional and statutory claims and rejected all as without merit, finding that the inmate failed to show a right to the declaration he was seeking.
- Marshall v. FPC: In this last case, the releasee was violated on conditional release for being 4 minutes past curfew. He argued that it was not a willful and substantial violation. The court thoroughly reviewed the entire revocation hearing and found that with the weight of the testimony and the circumstances surrounding the violation, there was competent substantial evidence to support the violation.

Office of Legislative Affairs

The Office of Legislative Affairs is charged with directing and overseeing the Commission's legislative program as the agency's chief legislative advocate.

Accomplishments: August 2014

- Hosted staff members from Governors Legislative Affairs Office for a site visit. Also hosted a visit from the Senate Criminal Justice staff and members of the Commissioner of Agriculture and Consumer Services General Counsel's Office.
- Participated in the leadership retreat presented by professional government trainer Christy Crump.
- Participated in the CRS workgroup meeting with Department of Corrections.
- Conducted an enrichment training presentation on legislative affairs duties and responsibilities.
- Continued planning for the Commission's 2015 legislative proposals.

Office of Communications

The Office of Communications is charged with overseeing the agency's communications and public information program.

Accomplishments: August 2014

- Provided press materials and media relations for August 19th appointments of Commissioner Davison, Chair Pate and Commissioner Coonrod.
- Updated Commission collateral to include new commissioner information.
- Conducted an enrichment training presentation for FCOR staff regarding Office of Communication's duties and responsibilities.
- Attended the Florida Public Relations Association Annual Conference in Orlando.

Office of Executive Clemency

The Office of Executive Clemency (OEC) reports directly to the Governor and Cabinet who sit as the Clemency Board in the performance of their duties and responsibilities. This office is responsible for coordinating all clemency meetings, referring applications for investigation and serves as the official custodian of all clemency records.

Accomplishments: August 2014

- August always proves to be busy with the addition of a Primary Election. Restoration of Civil Rights plays a most important role in the voting process which is one reason we work continually to be as efficient as possible. Staff was assigned a flexible work schedule of extended hours to 7:00 p.m. the week prior to the election and the two days following the election. On Election Day we staffed the telephones from 6:00 a.m. to 9:00 p.m. We will also continue this practice in November for the General Election. Flexible call-taking assignments benefit both those seeking clemency and the Supervisor of Elections' staff who may need clarification of voting eligibility.

Webpage Statistics

- <https://FPC.state.fl.us> has received 1,386,011 hits with 1,024,331 searches for Restoration of Civil Rights (RCR) grants.
- 114,355 names were located and 71,902 certificates have been printed.
- Currently 375,970 RCR certificates available for printing through the www.FLrestoremyrights.com website.

Office of Clemency Investigations

The Office of Clemency Investigations is charged with investigating, reviewing, evaluating, and reporting to the Clemency Board in all types of clemency cases, including, but not limited to, the restoration of civil rights, restoration of alien status under Florida law, full pardons, firearm authority, commutations of sentence, remission of fines, and capital punishment cases.

Accomplishments: August 2014

Pending Clemency Cases August 1, 2014

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

- RCR Cases - 11, 846
- Without a Hearing Cases - 845
- With a Hearing Cases - 11,001
- Non-RCR Cases* - 8,168
- Total Pending Clemency Cases - 20,014
- On August 12, 2014, Chair Pate, Daphne Asbell, Victims Services Coordinator, and the Director of Clemency Investigations, co-presented a workshop on the roles and responsibilities of the Commission on Offender

Monthly Accomplishments Report

Review in ensuring public safety, along with the clemency process in Florida at the 85th Annual Florida Council on Crime and Delinquency Conference in Naples, Florida.

- On August 14, 2014, the Director of Clemency Investigations provided training to the Regional Administrators and Supervisors during a conference call to include procedures related to clemency investigations.
- On three separate occasions this month, the Director of Clemency Investigations and the Coordinator of the Office of Executive Clemency welcomed individuals from the Senate Criminal Justice Committee, the Governor's Office of Legislative Affairs, and the Commissioner of Agriculture and Consumer Services General Counsel's Office to provide them with an overview of the clemency process and functions of each office.