



# FLORIDA COMMISSION ON OFFENDER REVIEW

(formerly Florida Parole Commission)

SERVING THE CITIZENS OF FLORIDA SINCE 1941

*Monthly Accomplishments Report – December 2014*

## Chair's Message

*Tena M. Pate*

December, as expected, was both hectic and productive on several fronts. We conducted three Commission hearings in Tallahassee, which consisted of both discretionary and mandatory release cases. A total number of 759 cases were heard by the Commission in December, with approximately 140 victims, victims' and inmates' family members and supporters participating. We also participated in the quarterly clemency hearing of the Executive Board of Clemency, which is comprised of the Governor and Cabinet. Eighty-one cases were investigated and placed before the Clemency Board for consideration. Additionally, our Annual Report was completed and is available at <https://www.fcor.state.fl.us/docs/reports/FCORannualreport201314.pdf>.

We lost a number of loved ones in our extended FCOR family this year, and the recent loss of Leon County Sheriff Larry Campbell, a beloved and well-respected law enforcement officer, reminded us once again of the fragility of life. The outpouring of love and support for those in our FCOR family and those in our extended law enforcement community are a testament to their impact on our lives.

Always mindful of our team, we responded to staff requests for assistance with grammar and writing by providing a business writing training on improving writing skills and enhancing the consistency of all of the documents prepared by FCOR staff. On a lighter note, Central Office staff celebrated the holidays at our annual Holiday Brunch which allowed us an opportunity to fellowship with each other during the busy year-end season. I hope the time off at the end of the year allowed everyone time to relax with family, and a chance to recharge for the coming New Year.

I want us to continue to think big in 2015 and get our creative juices flowing. Jim Collins, author of the book *Good to Great: Why Some Companies Make the Leap...and Other's Don't* said it best, "...those who turned good into great are motivated by a deep creative urge and an inner compulsion for sheer unadulterated excellence for its own sake..."

Here's to a year of sheer, unadulterated excellence.

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: December 2014

In December, I had the opportunity to attend the Big Bend Law Enforcement Association breakfast in Quincy, which always provides a wonderful opportunity to network with our fellow law enforcement/criminal justice colleagues. I saw some of these same individuals on a much more somber occasion when I accompanied Chair Pate to the funeral of Leon County Sheriff Larry Campbell. It brought home to me the fact that our own FCOR family has endured great loss lately as well, particularly our field staff.

Operations staff met with the Palm Beach State Attorney's Office this month to make final preparations for our January Commission hearings, which are scheduled for January 28-29, 2015. We also had several productive meetings with the Executive Office of the Governor (EOG) staff to discuss and later present our 2015 Legislative proposals.

Finally this month, we surveyed Clemency field staff in an effort to solicit solutions on how to streamline the clemency process and whether staff would be interested in having Clemency Investigators dedicated entirely to clemency investigations only. Eighty-one percent of respondents said they would be interested in having clemency-only investigators, and the suggestions on streamlining the process were extremely helpful, and included responses such as "Make contact with applicants before the investigators receive the case and see if they are still wishing to continue with the process." We'll be looking at all your responses and will keep you updated on our progress. Thank you to all who responded.

## Office of the Commission Clerk

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The number of cases docketed included:\*

- Parole – 131 (3 granted, 0 denied)
- Conditional Medical - 0 (0 granted, 0 denied, 0 deceased prior)
- Conditional Release - 553
- Addiction Recovery Supervision - 75
- Total - 759

*\* 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): 2,082

## Revocations

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- Warrants Issued - 181
- Cases Reviewed and Prepared for Docket - 187\*

## Victims' Services

- Victims' requests for information on parole, conditional release, and conditional medical cases - 251
- Victims Located - 42
- Status updates to victims on parole, conditional medical and clemency cases – 402
- Assisted victims who attended parole or clemency hearings – 32

## Field Services

### Field Services' Statewide Activity Totals

- Monthly Interviews and Hearings Conducted:
- Parole Interviews - 68
- Revocation Interviews - 181
- Revocation Hearings - 63
- Total Interviews and Hearings for the Month - 312

REGION	I	II	III	IV	V
COURTESY INTERSTATE COMPACT TASKS	2	2	1	4	5
PENDING CLEMENCY CASES	With Hearing: 535 W/o a Hearing: 9 Total Cases: 544	With Hearing: 870 W/o a Hearing: 19 Total Cases: 851	With Hearing: 901 W/o a Hearing: 12 Total Cases: 913	With Hearing: 2,025 W/o a Hearing: 42 Total Cases: 2,067	With Hearing: 1,027 W/o a Hearing: 24 Total Cases: 1,511

## 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: December 2014

- FCOR achieved 100% prompt payment compliance.
- Submitted 18 requisitions, 17 Security request, 17 revisions to the website, 102 invoices and made 29 deliveries.
- Administration team provided employee enrichment training.
- Travel and P-card training was provided statewide.

## 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: December 2014

- One type of argument that we are currently seeing a lot of, mostly out of Sumter Correctional Institution, are particular challenges titled as “declaratory judgment” actions which must be served through civil procedure rules on the agency by a process server. In these actions, the parole-eligible inmate claims to be unclear on his rights under Chapter 947 and is requesting the court to clear it up by declaring what are his rights. However, these issues have been long ago decided and settled by the state and federal courts; there is no right to parole. Most of these are also inmates that have already had their particular cases decided by the courts through previous petitions. We are usually treating these as subject to dismissal for the inmate’s failure to meet his burden of proof for a declaratory action and as abusive of the writ process.

## 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: December 2014

- Finalized and drafted the Commission’s proposed legislation for the upcoming Legislative Session.
- Met with various legislators and Executive Office of the Governor officials to discuss the Commission’s proposed legislation.
- Conducted ongoing legislative constituent relations regarding various Commission functions.

## Office of Communications

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

### Accomplishments: December 2014

- Presented FCOR’s Legislative Budget Request and Long Range Program Plan at the Office of Policy and Budget’s media availability presentation.
- Distributed the Commission’s 2014 Annual Report to staff and mandated stakeholders.
- Presented a mandatory business writing training course to Commission staff.

## 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: December 2014

- The Office of Executive Clemency ended a very successful year with the last clemency hearing for 2014. On December 10, 2014, the Executive Clemency Board met at the Capitol and heard 81 clemency cases. Of the 81 cases on the agenda, 41 applicants appeared personally or were represented before the Board. Seven individuals, either victims in the cases or victim representatives, were present and three written victim

statements were read into the record. There were 11 pardons, 4 firearm authority, and 18 Restoration of Civil Rights requests granted. Seven cases were continued and seven cases placed under advisement.

- This upcoming year our office will continue to focus on efficiency and customer service strategies.

#### **Webpage Statistics**

- <https://FPC.state.fl.us> has received 1,440,935 hits with 1,055,872 searches for Restoration of Civil Rights (RCR) grants.
- 119,525 names were located and 74,152 certificates have been printed.
- Currently 376,225 RCR certificates are available for printing through the [www.FLrestoremyrights.com](http://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: December 2014**

- During this past month, our office prepared investigations for the upcoming Clemency Board Meeting, conducted investigations on capital punishment clemency cases and Requests for Review for Commutation of Sentence cases, conducted quality assurance reviews of all field investigations, provided customer service to clemency applicants, and assisted in the development of clemency data requests.
- On December 10, 2014, the Governor and Cabinet, sitting collectively as the Clemency Board, held its fourth quarterly Clemency Board Meeting at the Capitol. The Commission completed and submitted 81 in-depth clemency investigations for Commutation of Sentence, Full Pardons, Firearm Authority and Restoration of Civil Rights (RCR) 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 the 52 RCR applicants were requesting their rights. Several applicants indicated multiple reasons in their statements, and the following information is a brief summary of what our research revealed:
  1. 79% of the applicants specifically indicated that they were interested in regaining their right to vote, sit on a jury or hold public office.
  2. 33% 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. 3% of the applicants did not provide any specific reason for requesting their civil rights.
  4. In addition, 10% of the applicants voted in an election without having their civil rights restored.
- On December 11, 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 December 15, 2014, Marina Scarano, was hired as a Commission Investigator to conduct Restoration of Civil Rights eligibility investigations.
- On December 22, 2014, the Offices of Executive Clemency and Clemency Investigations held a joint staff meeting to share information between the two offices and exchange ideas on how to continue to look for ways to improve the efficiency of the clemency processes.