



# FLORIDA COMMISSION ON OFFENDER REVIEW

(formerly Florida Parole Commission)

SERVING THE CITIZENS OF FLORIDA SINCE 1941

*Monthly Accomplishments Report – January 2015*

## Chair's Message

*Tena M. Pate*

We all approach the beginning of a new year with a sense of expectancy and excitement, and if January's activities are any indication of the rest of the year, 2015 is going to be an amazing ride!

On the legislative front, I'm happy to report the Governor's office is in support of our legislative proposal for mandatory supervision for eligible violent offenders, which dovetails well with the Governor's budget recommendations for increased public safety funding. Our proposal removes the requirement that offenders eligible for conditional release must have served a prior state or federal prison commitment, which means that all eligible violent felony offenders would be placed on mandatory supervision upon their release. Senator Dean and Representative Stone are sponsoring the bill, and Representative Matt Gaetz has signed on as a co-sponsor. We anticipate it being placed on the legislature's committee calendars soon. We are especially thankful to our stakeholders and partners for their strong and continued support of our efforts. The Governor's budget also includes funds we requested to replace some of our outdated technology and designates an additional \$100,000 for programming needs to enhance our current daily efforts. We will continue to advance these issues moving forward over the next few months. And, finally, we are working hand-in-hand with Commissioner Richard Davison in securing his Senate Confirmation this legislative session.

We just returned from two days of successful hearings in West Palm Beach and I could not be more pleased with the teamwork demonstrated by our Commissioners and staff, and the interest and enthusiasm displayed by those in attendance. Our distinguished host for the hearings was the State Attorney's Office, Fifteenth Judicial Circuit, Dave Aronberg, State Attorney. State Attorney Aronberg was joined by Chief Assistant State Attorney Al Johnson and Assistant State Attorney Sherri Collins. We welcomed multiple guests including representatives from the Broward and Palm Beach County Sheriff's Offices, Representative Irving Slosberg's Office, Palm Beach County, the Departments of Juvenile Justice, Corrections, and local Law Enforcement. During the two-day hearings, the Commission heard a total of 342 cases, with approximately 121 victims, victims' and inmates' family members and supporters participating. Perhaps our greatest outreach effort on our crime prevention front was realized when a group of young high school students

studying at Palm Beach Lakes Center for Pre-Law attended to observe our hearings. Each student responded to our survey and in response to the question "How much of an affect did attending this parole hearing have on you" 54.5% said "a fair amount" and 27.3% indicated "quite a lot." When asked if attending the parole hearing was relevant to their studies 63.6% indicated "very much" or "quite a lot." Comments on the experience included: "I knew about criminals and crimes being committed, but being so close to the family makes it so emotional." Another opined "They have to learn to face the consequences as a result of their actions, no matter how much they have changed from when they did the crime."



Photo provided by: Lannis Waters

Other events in January included two issues close to my heart – training and victims assistance. We kicked off our John Maxwell 360 staff training on January 15 and I feel certain this intensive leadership training will assist us in strengthening our teamwork, improving our communication skills and helping us form our future leaders. Thank you to Office of Executive Clemency Director Julia McCall for leading the way in teaching this valuable class. Later in the month and as Chair of the Victims Committee for the Association of Paroling Authorities International (APAI), I assisted APAI in hosting a thought-provoking webinar on Victim Offender Dialogue (VOD), featuring presenters Randi Losalu from Wyoming, Mark Odom and Jon Wilson, which is a victim-centered approach to helping victims come to terms with what happened to them by communicating with the offender in a safe and controlled environment. The preparation for VOD is extensive and can take up to a year or more, but the results for the victim make it worthwhile. As one of the webinar presenters stated, “The level of change during a VOD is palpable.” I also went on-camera with the National Institute of Corrections (NIC) to assist with its training on victim services in the post-conviction processes. This training will be available in the very near future.

Finally, I’d like to mention that on January 14 we held a Law Enforcement Appreciation reception in observance of Florida First Responder Appreciation Week in the Commissioner’s suite area to recognize the FDLE agents and Capitol Police who provide security during our hearings. They provide us with a safe environment to carry out our responsibilities at hearings every week, both in town and at our out-of-town votes, and we wanted to express our sincerest appreciation. I invite you to continue reading this report to learn more about the goings-on at the Commission during the month of January, 2015.

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: January 2015**

Operations has been busy this month meeting with staff from the Auditor General’s (AG) Office in preparation for our upcoming FCOR audit, and we expect to continue to do so for the next several months. I know this is an added duty for many of you, in addition to your regular workload, and I appreciate your continued assistance as we gather the information requested for the AG staff.

We are continuing to partner with other agencies in our training initiatives, and I am happy to note that the Department of Corrections (DC) reached out recently and invited us to participate in their Today’s Woman Facing the Future training. The purpose of this program is to inspire, motivate, and empower women at all levels to excel personally while preparing for professional advancement. Grounded in principles of Trust, Respect, Integrity, Excellence, and Innovation, the program aims to support organization excellence by building the potential of participants to envision and achieve lifetime success. Region 3 Investigator Tarra Lawrence is participating in the current session, and I’m hoping we will be able to participate in future trainings.

We had 11 students in attendance at the recent hearings in West Palm Beach as part of our Youth Initiative and their response to the experience was encouraging. We’re planning to expand this program for at-risk youth and are hoping to have even more participants at our Orlando hearing in May. The goal of the program is for at-risk youth to observe

hearings firsthand in an effort to educate them about the process, but also to allow them to see how the offenses committed impact not just the victims, but their families for many years.

## Office of the Commission Clerk

The number of cases docketed included: 819

- Parole – 134 (2 granted,3 denied)
- Conditional Medical - 2 (2 granted, 0 denied, 0 deceased prior)
- Conditional Release - 505
- Addiction Recovery Supervision - 178

## Revocations

- Warrants Issued - 164
- Cases Reviewed and Prepared for Docket - 167\*

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

## Victims' Services

- Victims' requests for information on parole, conditional release, and conditional medical cases - 273
- Victims Located - 57
- Status updates to victims on parole, conditional medical and clemency cases – 548
- Assisted victims who attended parole or clemency hearings – 33

## Field Services

Field Services' Statewide Activity Totals / Monthly Interviews and Hearings Conducted:

- Parole Interviews - 76
- Revocation Interviews - 213
- Revocation Hearings - 64
- Total Interviews and Hearings for the Month - 353

REGION	I	II	III	IV	V
COURTESY INTERSTATE COMPACT TASKS	2	1	2	4	1
PENDING CLEMENCY CASES	With Hearing: 510 W/o a Hearing: 9 Total Cases: 519	With Hearing: 848 W/o a Hearing: 16 Total Cases: 864	With Hearing: 893 W/o a Hearing: 9 Total Cases: 902	With Hearing: 1,935 W/o a Hearing: 40 Total Cases: 1,975	With Hearing: 1,166 W/o a Hearing: 23 Total Cases: 1,189

## 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: January 2015

- FCOR achieved 100% prompt payment compliance.
- Submitted 16 requisitions, 13 Security request, 5 revisions to the website, 103 invoices and made 24 deliveries.

## Monthly Accomplishments Report

- Mobile Computing Equipment and Wireless Devices and P-card Procedure Directives updated
- Responded to Auditor General inquiries
- Safety Committee meeting and inspection
- Updated Agency organizational charts

### 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: January 2015

- **Hastings v. FCOR:** In this case the inmate challenged the Commission's response, or lack thereof, to a public records request. The mandamus petition was denied by the Court since the inmate was seeking statistics of the agency; this would have required the Commission to create a new document. Public records laws only require agencies to produce documents already created, not to create new documents specifically to answer a request. Additionally, the case was dismissed as moot since the Commission provided the information in answer to the inmate's public records request through the litigation process.
- **Tuggle v. FPC:** In this federal opinion, the releasee challenged the revocation of his supervision stating that it was based on evidence obtained in violation of the Fourth Amendment (protection from unlawful search & seizures) and was overall not competent and substantial to support the revocation. The Court rejected the arguments reiterating the general rule that evidence which may not be admissible to prove a new law violation is usually still admissible in revocation proceedings.

### 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: January 2015

- Attended the Smart Justice Summit in Sarasota, Florida and the Florida Police Chiefs Association Conference in Tampa, Florida.
- 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: January 2015

- Prepared media packets, distributed a media advisory, and provided media relations for the West Palm Beach, Florida out-of-town vote.
- Participated in a victim-offender dialogue conference call hosted by Association of Paroling Authorities International.
- Drafted and distributed letters to law enforcement officers and coordinated a social in honor of First Responder Appreciation Week.
- Attended the Executive Office of the Governor Communications Meeting.

## 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: January 2015

- During January this office commenced a training program with the Office of Clemency Investigations which included a complete review of the eligibility determination process. OEC previously applied all aspects of the Rules per each application with the exception of the issue of restitution, which was later researched by a Central Office Clemency Investigator. We chose to do the partial review so that all applications pending the initial screening could be reviewed and those found eligible initially moved to the investigative stage and those found ineligible for other disqualifiers addressed with the applicant. With this new change, our office will be charged totally with eligibility screening and the Office of Clemency Investigations will focus on the investigative stage of the process.
- Julie McCall, Coordinator of Executive Clemency, began a training program spotlighting John Maxwell's 360 Leadership Training. Currently, the class meets twice a month and there are 27 participants. The theme of this study is developing your influence from anywhere in the organization.

#### Webpage Statistics

- <https://FPC.state.fl.us> has received 1,458,769 hits with 1,065,949 searches for Restoration of Civil Rights (RCR) grants.
- 120,808 names were located and 74,720 certificates have been printed.
- Currently 376,264 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: January 2015

- 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 January 8, 2015, 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 January 22, 2015, our office published a revised Training Manual for conducting RCR eligibility investigations. This is an instructional tool and reference resource for all Commission employees who conduct eligibility reviews for RCR investigations.