

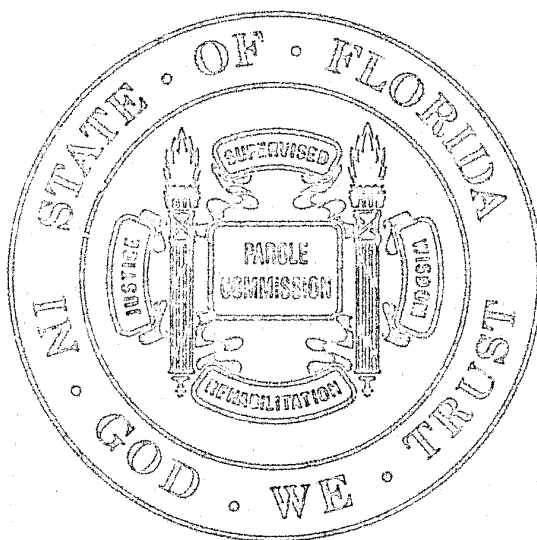
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# FLORIDA PAROLE COMMISSION

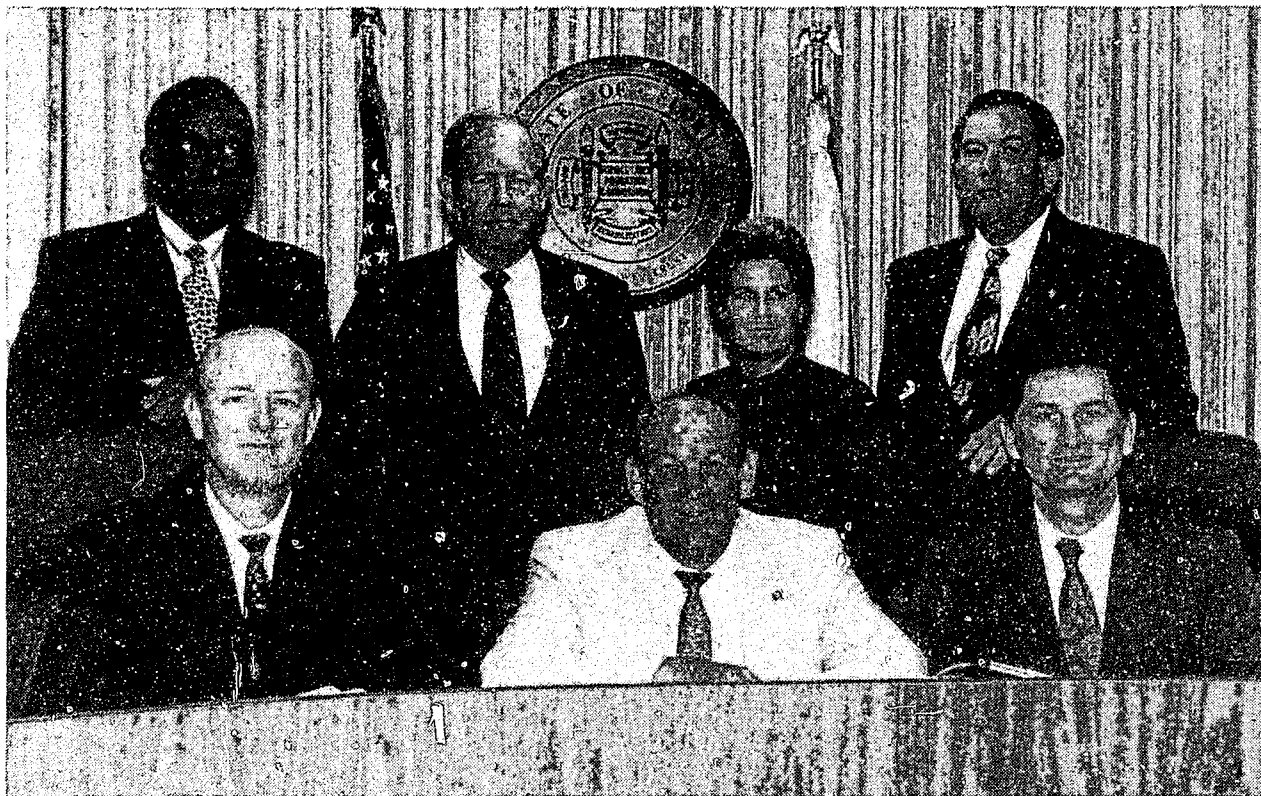
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MAR 22 1995

ACQUISITIONS



54th  
ANNUAL REPORT  
1993-1994



## FLORIDA PAROLE COMMISSION

*top, left to right:*

Maurice G. Crockett, Secretary  
E. Guy Revell, Commissioner  
Judith A. Wolson, Commissioner  
Kenneth W. Simmons, Commissioner

*seated, left to right:*

Edward M. Spooner, Vice-Chairman  
Gene R. Hodges, Chairman  
Gary D. Latham, Commissioner

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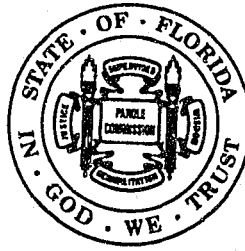
1309 Winewood Boulevard  
Building B, Third Floor  
Tallahassee, Florida 32399-2450  
(904) 922-0000 (Suncom 272-0000)

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JUDITH A. WOLSON  
COMMISSIONER CHAIRMAN

EDWARD M. SPOONER  
COMMISSIONER VICE CHAIRMAN

KENNETH W. SIMMONS  
COMMISSIONER SECRETARY



MAURICE G. CROCKETT  
COMMISSIONER

GENE R. HODGES  
COMMISSIONER

GARY D. LATHAM  
COMMISSIONER

E. GUY REVELL, JR.  
COMMISSIONER

FLORIDA PAROLE COMMISSION

1309 WINEWOOD BOULEVARD, BUILDING B, THIRD FLOOR, TALLAHASSEE, FLORIDA 32399-2450 ■ (904) 488-1653

December 30, 1994

The Governor and  
Members of the Cabinet

Dear Governor and Members of the Cabinet:

In accordance with Chapter 947.15, Florida Statutes, I am pleased to present to you the 54th Annual Report of the Florida Parole Commission.

This report details the agency's achievements during Fiscal Year 1993-94 and provides an overview of the Commission and its role in Florida's criminal justice system.

Sincerely,

Judith A. Wolson  
Chairman

Copy to: President of the Senate  
Speaker of the House  
Substantive Legislative Committees  
Department of Legal Affairs  
Department of Corrections

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# HISTORY OF THE COMMISSION

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During the early 1800's state prisoners were leased to the huge turpentine and land companies in Florida where they were often worked as slave labor. This era of inhumane and bitter treatment of prisoners culminated with the notorious Martin Taber case. Taber, a young prisoner convicted of stealing a ride on a freight train, died as a result of brutal treatment administered by a lumber company boss to whom he was leased. An aroused public demanded the discontinuance of leasing prisoners. The abolishment of the practice of leasing prisoners caused overcrowded conditions in the state prison of Raiford despite the establishment of road camps where prisoners were used for road work. Prison overcrowding, the high cost of housing, and underlying pressures from families and the general public for better treatment of prisoners set the stage for opportunists to peddle their influence for the pardoning of certain prisoners.

The Pardon Board, created by the 1885 Constitution and composed of the Governor and Cabinet, often presided over 200 pardon applications in one day. This resulted in hurried or capricious release procedures by overburdened officials. The weakness of the pardon system led to the formation of the Florida Parole Commission in 1941.

The Commission selected inmates sentenced for parole release and its field staff provided parole and probation supervision. The responsibilities were not altered until reorganization in 1975, which transferred the field officers and supervisory responsibilities to the Department of Corrections. Positions with the Commission were reduced from 1,321 to 149.

The Florida Legislature in 1978 enacted the Objective Parole Guidelines Act which required the Commission to develop and implement rules and criteria upon which parole decisions were to be made. It required the development of guidelines according to an acceptable research method based on the seriousness of the offense and the likelihood of favorable parole outcome, and provided for reorganization of the agency into functional areas.

Following a study of the disparity in sentencing within

the state court system, Sentencing Guidelines became effective October 1, 1983. Under Sentencing Guidelines, the Commission retained paroling authority only for inmates whose offenses were committed prior to October 1, 1983, thereby severely curtailing the workload and authority of the Commission. The "sunset" of the Parole Commission, provided by the 1983 Legislative session, and later extended, was repealed during the 1993 session.

The Victim Assistance Law brought many new responsibilities to the Commission in the 1988-89 Legislative Session. This law provides that the victim, or family of the victim, has the opportunity to provide input into the decision-making process.

The Conditional Release Program was enacted in 1988 and amended in 1989, pursuant to section 947.1405, Florida Statutes. This program provides that inmates convicted of assaultive crimes committed on or after October 1, 1988, and who have served at least one prior felony commitment, or have been sentenced as a habitual offender or violent habitual offender shall be released under supervision on their expiration date subject to specified terms and conditions established by the Commission.

Even though many changes have affected the Commission since 1941, the most significant change in the Commission's role was the creation of the Control Release Authority in 1989 by the Florida Legislature. This legislation directed the Commission to develop a system of uniform criteria to determine the number and type of inmates released into the community in order to currently maintain the state's prison system at between 99 and 100% of its lawful capacity. The Control Release Program became effective September 1, 1990. Between November 1, 1990, and June 31, 1994, over 70,000 inmates were released via this program.

Parole is granted after a finding that there is reasonable probability that when released, an inmate will live a law-abiding life and agrees to the terms and conditions of parole supervision. Control release, however, is early release designed solely to prevent overcrowding in the state prison system.

# INTRODUCTION

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## CHAIRMAN'S MESSAGE

*Gene R. Hodges*

Commission Chairman July, 1992 - June, 1994

Fiscal Year 1993-94 was a very successful legislative year for the Commission. The Agency was able to secure funding for 22 new positions, the majority of which were to help the field offices reduce the backlog of investigations. The Commission also received approximately \$700,000 for new computer equipment which was recommended by the Information Resource Commission. This will allow the Commission to continue to automate our programs to become more efficient and cost effective.

The Commission, acting as the Control Release Authority, continues to be the release mechanism for the Florida prison system. The Commission reviewed approximately 39,000 Control Release cases during FY 93-94. While releasing large numbers of offenders via control release, the Commission has been able to target the more violent and dangerous offenders for service of the maximum amount of time within their court imposed sentence. The Commission, in order to further enhance public safety, has adopted the policy of requiring maximum supervision on 100% of releases under the Control Release Program.

The number of Conditional Releases continues to increase. FY 93-94 produced a 21% increase. Over 1,800 offenders were released to supervision and required to adhere to Commission imposed conditions. The Commission also considered 42 cases recommended by the Department of Corrections under the Conditional Medical Release Program. There were 20 releases under this program.

This year also saw the Commission enact the proactive Emergency Warrant Program. Upon the arrest on a felony charge of an offender who is on release supervision, the offender must be detained without bond until a judicial determination of probable cause is made. Following the finding of probable cause, the offender must continue to be held in custody pending a revocation hearing. The Commission has issued over 1,600 warrants under this program.

The Commission and its staff continued as the investigative arm of the Governor and Cabinet as the Board of Executive Clemency. There has been an overall increase in Clemency's work load. The Clemency section was very involved in the Governor's policy to grant Conditional Clemency to illegal aliens in Florida prisons, thereby clearing the way for Immigration and Naturalization to deport them. Clemency staff were responsible for screening approximately 800 cases for possible conditional clemency consideration.

As I conclude my chairmanship, I am proud to look back and see the great strides that the Commission has taken over the last two years. The Parole Commission is an integral part of the Criminal Justice System in Florida. We have been pushed to the forefront of prison population control. We have met the demands of this role and we will continue to fulfill our objectives while continuing to ensure the safety of the citizens of Florida.

## COMMISSIONERS' VITAE

### Maurice G. Crockett



Commissioner Crockett was born in Nashville, Tennessee. He received his bachelor of arts degree from Philander Smith College in Little Rock, Arkansas, and attended Florida State University. He started work at the Arthur Dozier School for Boys in November 1954 as a house-parent and was serving as superintendent of the Lancaster Youth Development Center when he was appointed to the Parole Commission in November of 1975. He served as Chairman of the Commission from July 2, 1978, until June 30, 1980. Commissioner Crockett holds membership in the American Correctional Association, the Florida Council on Crime and Delinquency, and the American Association of Paroling Authorities. Commissioner Crockett is a certified consultant with the American Correctional Association. He served on the Governor's Council on Criminal Justice and was President of the Advisory Committee on TASC Drug Programs. Commissioner Crockett was presented the Distinguished Service Award for Chapter II of the Florida Council on Crime and Delinquency in 1979 and was recognized by the statewide Council in that same year. Commissioner Crockett was also recognized by the Florida Chapter of the National Bar Association on July 16, 1993, for his outstanding contributions to the Florida criminal justice system. Commissioner Crockett was presented the Humanitarian Award on March 1, 1993, by the Steel-Brooks Anti-Drug Project for his outstanding work and dedication to the community. Commissioner Crockett was reappointed to the Commission to serve a six-year term on November, 1991, until November, 1997, by the Honorable Lawton Chiles, Governor of the State of Florida.

### Gene R. Hodges



Commissioner Hodges was born and raised in Cedar Key, Florida. He served in the United States Air Force 1955-58. He has also served as Judge for the City of Cedar Key as a member of the Cedar Key Planning Board. Commissioner Hodges was elected from the Eleventh District to the Florida House of Representatives in 1972 and served in that capacity for sixteen years. During his tenure with the Legislature, he served as Agriculture and General Legislation Committee Chairman, Governmental Committee and Natural Resources Committee Vice Chairman and Appropriations Vice Chairman. As a member of the Legislature, he worked with legislation in the Corrections area, including facilities, programs and financing. While in the Legislature, Commissioner Hodges received the Veterans' of Foreign Wars Distinguished Service Award, Florida Agriculture Award of Excellence and the Alliance of North Florida Education Employees Excellence in Education Award. He has served on the Commission since November 22, 1988, and was elected Commission Secretary for the year 1990-91. He served as Chairman of the Commission from July 1, 1992, through June 30, 1994.

### Gary D. Latham



Commissioner Latham was born on Eglin Air Force Base, Florida, and raised in Crestview, Florida. He received his bachelors of science degree in criminology from Florida State University in 1969. He served in the United States Army in an armed forces police detachment, New York City, N.Y., from 1970 to 1972. He attained the rank of first Lieutenant. He was employed by the Florida Parole Commission in 1972 and served as a Parole Officer until 1976, when he was promoted to District Supervisor in the Marianna Office. He served there until 1986. He has two masters degrees, correctional counseling and education. He has completed his post-graduate work as an educational specialist and was certified as a School Psychologist from 1982 to 1987. He has published articles on criminal justice issues and was the Project Director on the Special Needs of the Female Offender, published in 1991. He was the Coordinator of Criminal Justice and Public Service and the Criminal Standards and Training Commission Training Center Director at Chipola Junior College from 1986 until 1992. He is a three-time recipient of Florida Council on Crime and Delinquency Distinguished Service Award in Criminal Justice and has twice been recipient of Division of Community Colleges Statewide Awards. He was the writer and Project Director of the Tech Rep Grant (America 2000) which was the largest competitive ancillary grant ever received by Chipola. He was Chairman of the Criminal Justice Standards and Training Region II Trust Fund Council. Commissioner Latham has served as a consultant in Criminal Justice training and privatization. He was appointed to the Commission in July 1992. He was elected Commissioner-Secretary in July 1993, and co-chairs the Commission Rules Committee. He co-authored Integrated Justice Information System Legislation 1994-95. He is the agency liaison to the Governor's Task Force on Domestic Violence 1994-95 and a member of the Governor's Federal Crime Bill Working Group 1994-95.

## COMMISSIONERS' VITAE

### E. Guy Revell, Jr.



Commissioner Revell, born in Crawfordville, Florida, received a masters degree in criminology and corrections from Florida State University. In 1961 he was employed by the Commission as a Probation and Parole Supervisor, a position held until 1966. During the next 17 years, he worked in the juvenile delinquency field with the Division of Youth Services. Upon reorganization of the Department of Health and Rehabilitative Service, he held numerous positions which included Director of Aftercare, Bureau Chief for Field Services and Acting Director of the Division of Youth Services. Additionally, he has provided a broad range of consultant services in the criminal justice field in numerous states, universities and professional organizations throughout the country. He is a recipient of the Walter S. Criswell Award for his contributions in the field of children and youth services. Commissioner Revell is a former Director of the National Association of Interstate Compact Administrators and has served on the Governor's Criminal Justice Corrections Task Force as well as consultant to the Prison Overcrowding Task Force. He holds the rank of Commander (Ret.) in the U.S. Navy Intelligence Program. On June 20, 1983, he received an interim appointment as a Commissioner, and on November 17, 1983, was re-appointed to a four-year term. Commissioner Revell received a new four-year term appointment on March 1, 1988, elected Vice-Chairman July 1, 1986 through June 30, 1988 and Chairman July 1, 1988 through June 30, 1990, and served as Commission Secretary for the year 1991-92.

### Kenneth W. Simmons



Commissioner Simmons, who was born in Columbus, Georgia, was raised in Graceville, Florida. He attended Chipola Junior College, received a bachelors of science degree in criminology and corrections from Florida State University in 1964, and has done post-graduate studies at Florida State University. His career in criminal justice began as a part-time employee of the Commission while he was attending college. He was selected as a Probation and Parole Officer I in 1964, and was promoted to Probation and Parole Officer II in 1967, District Supervisor I in 1969, and District Supervisor II in 1971. He came to Tallahassee in 1973 as Coordinator of the Parole and Probation Commission's Young Lawyers Volunteer Program and later moved up in the ranks to assistant and deputy director within the Commission. In October 1978, he became Parole Services Director and remained in that position until his appointment to the Commission. He was appointed to the Commission November 30, 1979, and reappointed to a four-year term December 1985. Subsequently, Commissioner Simmons was appointed to a six-year term that will expire on October 6, 1995. He served the Commission as Vice-Chairman from July 1, 1980 until June 30, 1982, was re-elected Vice-Chairman on July 1, 1982, until June 30, 1984. Commissioner Simmons was elected Chairman of the Commission from July 1, 1984 until June 30, 1986, and as Secretary from July 1, 1987 until June 30, 1988. Commissioner Simmons is a member of the Florida Council on Crime and Delinquency. He has previously served as treasurer, secretary, president-elect and president of the Florida Council on Crime and Delinquency at the state level and in 1991 was presented a Distinguished Life Membership. He is also a member of the American Correctional Association.

### Edward M. Spooner



Commissioner Spooner was born in Danville, Virginia, and raised in Greensboro, Florida. He received his bachelor of science degree in Criminology from Florida State University in 1973. Upon graduation, he was employed with the Tallahassee Police Department as a police officer and, later, as the department's training officer. He was then employed as an instructor with the Lively Criminal Justice Academy from 1977 until his appointment on February 2, 1979, as a Director of Public Safety for the City of Quincy. During his tenure as Director of Public Safety, he was appointed to two terms on the Criminal Justice Standards and Training Commission, serving as Chairman from July 1990 through October 1991. He is a life member and Past President of the Florida Police Chief's Association and also served on the Governor's Crime Prevention Law Enforcement Study Commission, as well as various other statewide commissions and task forces. He is an active member of the Florida Council on Crime and Delinquency and the Florida Peace Officers' Association. Commissioner Spooner was appointed to a six-year term with the Florida Parole Commission on October 31, 1991. On July 1, 1992, he was elected to a two year term as Vice Chairman of the Commission. In July 1994 he was appointed by the Governor and Cabinet to a second two year term as Vice Chairman of the Commission.



## COMMISSIONERS' VITAE

### Judith A. Wolson



Commissioner Wolson was raised in Palm Beach County and has been a resident of Florida for most of her life. She is a graduate of Florida State University, having received her Bachelor's degree in Criminology. Her career in corrections began with the Florida Parole Commission in 1969, as a probation and parole officer in south Florida. She held a number of field level positions and attained various positions of management at the field operations level and was subsequently appointed the Commission's Parole Services Director in 1979. Following three years of service as Director, Ms. Wolson was appointed a member of the Commission in August 1983, and has been subsequently reappointed. She has been an active member of the American Correctional Association, the Association of Paroling Authorities International, the National Victim Center, the Southern States Correctional Association, and the Florida Council on Crime and Delinquency as a member of the Board of Directors and past Chapter II President during FY 93-94. The Commissioner was also appointed by the Governor to serve as a member of the Task Force for the Review of the Criminal Justice and Corrections Systems, and is the first Commissioner selected as Chairman of the Parole Commission by the Governor and Cabinet. Her term as Chairman is from July 1, 1994, to June 30, 1996.

### YEAR IN REVIEW — COMMISSIONERS

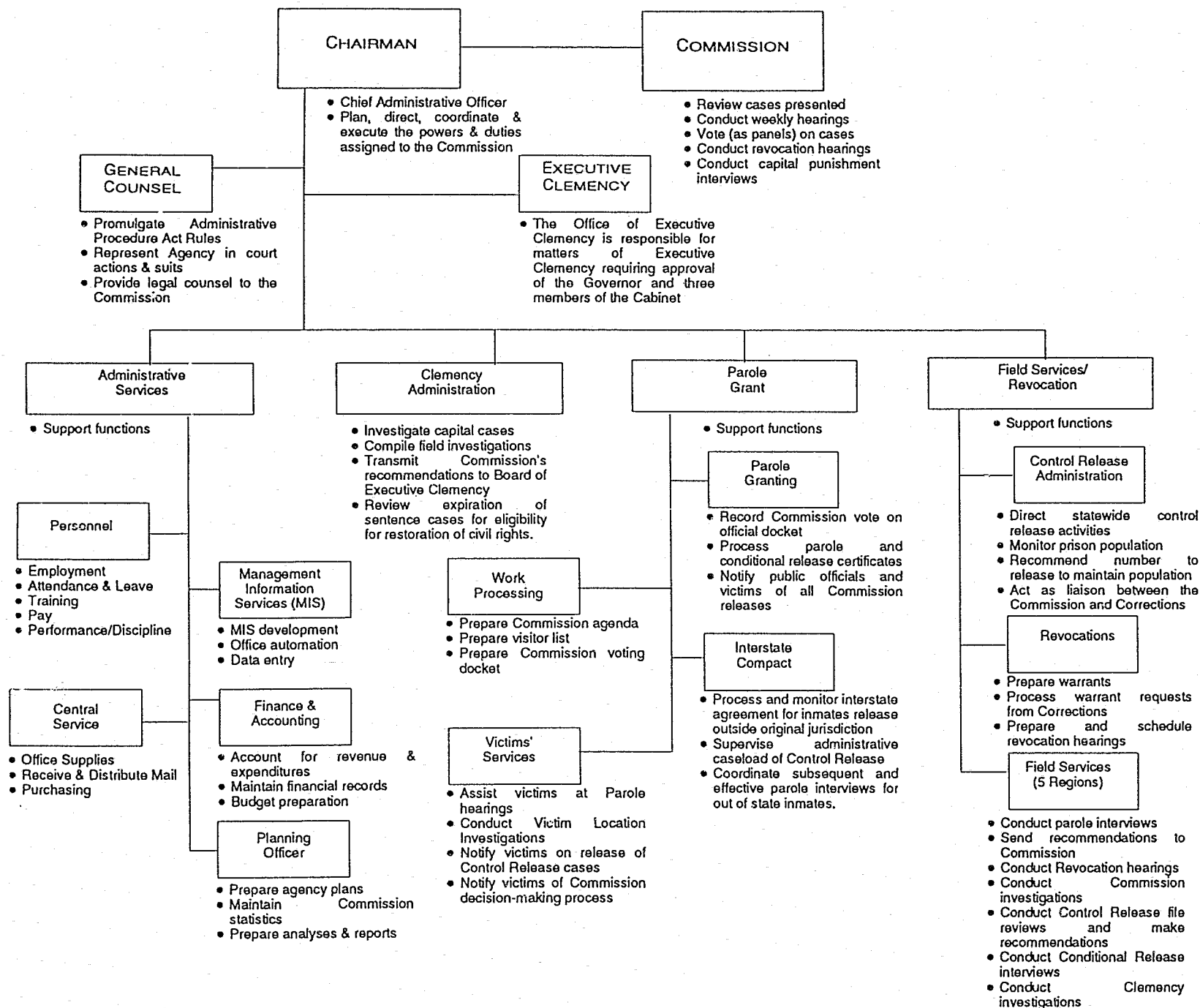
The Commissioners' workload continued to increase as a result of the Control Release Program, which became effective September 1, 1990. The Commission meets every Tuesday to vote on Control Release cases.

Of those inmates released on parole or conditional release, a total of \$1,075,162.29 in restitution was ordered to be paid to victims.

The Commission held revocation hearings at the five Department of Corrections reception centers, as well as death row interviews at Florida State Prison.

### Commissioners' Workload

WORKLOAD	FY 93-94	WORKLOAD	FY 93-94
Parole and Conditional Release Voting Docket Caseload	9,472	Warrants Issued	11,115
Control Release Voting Docket Caseload	46,021	Clemency Related:	
Parole - Judicial Notification	384	1. Capital Punishment Interviews	6
Paroles Granted	145	2. Review and recommendations	
Paroles Revoked	129	A. General Clemency	247
Conditional Releases	1,989	B. Waiver Cases	270
Conditional Releases Revoked	756	C. Commutation of Sentence Cases	20
Control Releases	14,575		
Control Releases Revoked	5,604		



# OFFICE OF THE GENERAL COUNSEL

The General Counsel's Office provides legal advice and representation to the Commission and staff in matters pertaining to the Commission's statutory duties. Administratively, the General Counsel's Office is under the direction of the Chairman.

Although by statute the Attorney General has been designated as legal advisor to the Commission, the high volume of litigation has necessitated a full-time legal staff. As a result of this litigation, a considerable body of case law has accrued in what has become a specialized area of the law. Legal staff knowledgeable in this field are readily available at all times for in-house consultation.

The litigation caseload is diverse. It includes extraordinary writ proceedings, administrative rule challenges, declaratory statements, suits for injunctive relief, and all appeals from these proceedings. Attorneys in the General Counsel's Office represent the Commission at all levels, in both state and federal courts by filing all necessary pleadings and briefs and appearing before the judges of these courts when required.

Most of the litigation caseload involves extraordinary writ proceedings brought by prison inmates. An inmate may file a petition for writ of mandamus in state court to seek judicial review of his presumptive parole release date or control release date established by the Commission. In addition, some inmates have sought judicial review of various aspects of their parole or control release date revocation proceedings by filing habeas corpus petitions in the state court.

Once an inmate has exhausted his state judicial remedies, he may attempt to seek relief in federal courts by filing a petition for writ of habeas corpus. Such petitions are considered by the United States District Courts and are subject to appeal to the Eleventh Circuit Court of Appeals. The United States Supreme Court, on rare occasions, may decide to review a case from the Circuit Court of Appeals.

Substantial additional litigation has resulted from implementation of the new Control Release law, effective September 1, 1990. Challenges arise regarding eligibility for Control Release, as well as challenges to any revocations that subsequently occur.

In addition to its litigation caseload and in-house advisory function, the legal staff is called upon to issue General Counsel Opinions for use by the Commission and its staff in formulating policy, interpreting statutory and decisional law, and applying existing administrative rules. Staff attorneys also prepare legal opinions, promulgate administrative rules, draft and review proposed legislation, and participate in a number of special projects.

## YEAR IN REVIEW

### Office of the General Counsel

The Office of the General Counsel was staffed during the 1993-94 fiscal year with the General Counsel, two Staff Attorneys, one Executive Secretary and one Administrative Secretary. Nearly 600 new lawsuits or appeals were filed in various courts, with the Florida Parole Commission as a named party resulting in the filing of almost 300 appellate briefs and responses to court orders to show cause together with numerous other motions and pleadings. This litigation

involved challenges, or appeals from challenges to Commission actions on presumptive parole release dates, parole revocation decisions, conditional release matters, control release determinations, clemency matters and revocation proceedings. There were also inmates seeking declaratory judgments as well as the promulgation of Commission rules. The issues raised in these proceedings have become increasingly more complex over time. In spite of this complexity and diversity, a high percentage of these matters were brought to a successful conclusion.

In addition to the litigation duties, the office was involved in a wide range of other Commission activities and projects. One was implementation of the Emergency Warrant Program which involved promulgation of rules, preparation of forms, and assisting the Revocation section in implementing the new statute. Also a complete review of all Commission Rules was begun.

Attorneys from the office also meet with Revocation staff to discuss upcoming parole and control release revocation hearings, and to determine whether the hearings present any particular legal problems. On occasion, attorneys provided legal advice to the hearing Commissioner. Further, the General Counsel worked with Revocation Section and Administrative Services for means to provide legal representation of indigent parolees, control releasees, conditional releasees and conditional medical releasees, at final revocation hearings.

Office staff participated in a number of training sessions and activities sponsored by the Florida Bar in order to maintain and sharpen their skills. In addition, General Counsel attended meetings of related House and Senate Legislative Committees and local and State Bar Association Committees.

## GENERAL COUNSEL WORKLOAD

### Administrative Duties:

A.	Verbal Advice	602
B.	Legal Opinion	58
C.	Special Projects	15
D.	Risk Management	8

### Litigation:

A.	Briefs	88
B.	Responses	211
C.	Orders	226
D.	Remands	16
E.	General Pleadings, Motions & Notices	179
F.	Rule Challenges	2
G.	Declaratory Statements	2

# ADMINISTRATION

## ADMINISTRATION OF THE COMMISSION

The Chairman is the Chief Administrative Officer of the Florida Parole Commission. In addition to his duties as a Parole Commissioner, he administers four functional areas, the Office of General Counsel and the Agency Planning Officer. He is supported in these tasks by the Director of Administrative Services, Director of Clemency Administration, Director of Field Services/Revocation, Director of Parole Grant, and General Counsel.

## AGENCY PLANNING OFFICER

The Planning Officer is responsible for preparing agency plans, maintaining statistics and preparing various analyses and reports. This individual also acts as liaison between the Commission and the Department of Corrections' Planning and MIS sections regarding statistics and computer-related functions.

The Commission's Agency Strategic Plan and Annual Performance Report are completed and submitted in accordance with the statutes. The Planning Officer maintains and distributes weekly and monthly control release statistical reports and coordinates Planning Committee activities.

## ADMINISTRATIVE SERVICES

The Administrative Services office links the agency with the Department of Administration, the Governor's Office of Planning and Budgeting, the Information Resource Commission, the Comptroller's Office and the Department of Management Services. Staff in four sections provide administrative support to all Commission offices. This office has fiscal responsibility for the agency, including preparing the agency's legislative budget requests.

## PERSONNEL

The Personnel section is responsible for recruitment, placement, pay administration, position classification, discipline and training. This section also works closely with the Department of Management Services on personnel matters.

## MANAGEMENT INFORMATION SYSTEMS

The MIS section is responsible for the planning, implementation, and administration of the agency's data processing, information management, and office automation functions. MIS also coordinates data exchange with the Department of Corrections, Justice Data Center (JDC), Kirkman Data Center (DHSMV), and the Florida Department of Law Enforcement (NCIC/FCIC). In addition, they aid Commission staff to interface with LAS/PBS, SAMAS, AMIC, and COPEs. The MIS Administrator serves as the Commission's Information Resource Manager (IRM) and Information Security Manager (ISM).

## FINANCE AND ACCOUNTING

This section is responsible for receiving and processing all travel vouchers and vendor payments, maintaining financial records, preparing financial statements and maintaining an inventory of fixed assets. Staff interacts with the Comptroller's office on fiscal matters.

## CENTRAL SERVICES

This section is responsible for the purchase and distribution of all equipment and supplies agency wide, and interacts with the Department of Management Services. It is responsible for all incoming and outgoing mail statewide, and deliveries and pick-ups within the Capitol Center. It is also responsible for supplying all printed forms and the assignment, care and maintenance of the agency's automobiles.

## YEAR IN REVIEW

### Management Information Systems

During FY 1993-94, the Legislature did not specifically appropriate funds for use in information management. However, as a result of belt tightening and taking advantage of surplus from other agencies, the Commission was able to increase productivity and upgrade certain data management functions.

During the past year, after working closely with the Department of Corrections and the IRC, the Strategic Plan for Information Management was updated and expanded to coordinate the needs of both the Commission and the other agencies with which we share information (including Corrections, FDLE, DHSMV and the Office of the Governor).

Upgrades and planning for future development formed an integral part of the MIS strategy for FY 93-94. The Commission upgraded the Central Office fileserver with increased speed, memory, and storage capabilities. In addition, the Commission's network, database, word processing and spreadsheet software was upgraded to improve performance and efficiency. Fileserver storage capacities were also increased at several Commission field offices.

Work continued with the Department of Corrections to automate several of the Commission's functions including docketing, Control Release reports, and interview scheduling. The Commission also worked closely with the Justice Data Center (JDC) in developing a plan and procedure to allow direct on-line access to local and regional court information by agency field offices. Several additional counties were connected to their local offices. The on-line access has saved many man-hours in travel time between field offices and the courts and has also allowed the Commission to have 'up to the minute' information when reviewing cases.

The MIS section also upgraded data tracking systems in use by the Legal, Interstate Compact, Clemency and Control Release sections. In addition, software was updated and expanded to automate workload reporting in the regional and local field offices.

The MIS section also supervised the upgrade of the agency's phone system allowing additional functionality. Work was completed during FY 93-94 to allow the transfer of the death row case tracking system from the Office of the Governor to the Clemency section of the Parole Commission. The new system allows direct access to this important information by the Governor and Cabinet while improving the ability of Commission staff to update the database as changes occur and new information is gathered.

# ADMINISTRATION

We also worked closely with the Chairman's Office, the Information Resource Commission, and the Director of Administrative Services to compile and complete the largest Information Resource budget request in the agency's history. With the help and support of these individuals and the efforts of legislators and staff, this funding was approved for FY94-95. Planning was begun to implement a far ranging overhaul of the Commission's Information Resource systems.

## Finance and Accounting

The Legislature funded the Parole Commission six (6) additional positions, for a total of 202 positions. The adjusted annual budget for Fiscal Year 1993-94 was:

Salaries	\$ 7,076,449
Other Personal Services	129,057
Expenses	1,458,320
Operating Capital Outlay	97,034
Data Processing Services	722
Special Categories Motor Vehicles	15,120
Transfer to Div. of Adm. Hearings	667
<b>TOTAL BUDGET</b>	<b>\$ 8,777,369</b>

The fiscal year was completed with no over-expenditures and reversion of funds in the amount of \$18,794.78.

## Personnel

A number of employees continue to participate in a flexible work week. The results were overwhelmingly favorable and the program will probably be available to the majority of Commission employees next fiscal year.

The annual Training Plan and Affirmative Action Plan were completed and submitted to the Department of Management Services.

The agency continued to utilize no-cost and low-cost training provided by the Department of Management Services. The agency is again requesting funding for training to enable all employees to have access to training programs.

The Commission's decision to declare the agency a smoke-free workplace was also a positive step in improving the health of agency employees.

FLORIDA PAROLE COMMISSION  
COMBINED BALANCE SHEET ALL FUND TYPES AND ACCOUNT GROUPS  
June 30, 1994

Governmental Fund Type	Account Groups		Total
General Revenue	General Fixed Assets	General Long Term Debt	(Memorandum Only)
<b>Assets:</b>			
Unexpended General Revenue	\$	\$	\$
Releases	455,959.93		455,959.93
Accounts Receivable	665.54		665.54
Supply Inventory	10,642.86		10,642.86
Machinery and Equipment		640,140.46	640,140.46
Amount to be Provided			
General Long Term Debt		941,790.66	941,790.66
<b>Total Assets</b>	<b>\$ 467,268.33</b>	<b>\$ 640,140.46</b>	<b>\$ 941,790.66</b>
<b>Liabilities:</b>			
Accounts Payable	38,760.93		38,760.93
Due to State Funds, within Department	278,616.33		278,616.33
Due to Other Departments	27,284.87		27,284.87
Due to Other Governmental Units	1,111.59		1,111.59
Compensated Leave Balances		941,790.66	941,790.66
Due to General Revenue			
Unallocated	665.54		665.54
<b>Total Liabilities</b>	<b>\$ 346,439.26</b>	<b>\$ 0.00</b>	<b>\$ 941,790.66</b>
<b>Fund Equity:</b>			
Investments in General Fixed Assets		640,140.46	640,140.46
Reserved for Supply Inventory	10,642.86		10,642.86
Reserve for Encumbrances	91,391.44		91,391.44
Fund Balance June 30, 1994	18,794.77		18,794.77
<b>Total Fund Equity</b>	<b>120,829.07</b>	<b>640,140.46</b>	<b>0.00</b>
<b>Total Liabilities and Fund Equity</b>	<b>\$ 467,268.33</b>	<b>\$ 640,140.46</b>	<b>\$ 941,790.66</b>

FLORIDA PAROLE COMMISSION  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES  
BUDGET AND ACTUAL  
June 30, 1994

	Budget	Actual	Variance Favorable (Unfavorable)
<b>Revenues:</b>			
General Revenue Appropriation	\$ 8,777,369.00	\$ 8,777,369.00	\$ 0.00
Less Reversions 06-30-94		18,794.77	(18,794.77)
<b>Total Revenues</b>	<b>\$ 8,777,369.00</b>	<b>\$ 8,758,574.23</b>	<b>\$ 18,794.77</b>
<b>Expenditures</b>			
Salary	\$ 7,076,449.00	\$ 7,072,853.15	\$ 3,595.85
Other Personal Services	129,057.00	113,888.82	15,168.18
Expenses	1,458,320.00	1,373,797.36	84,522.64
Operating Capital Outlay	97,034.00	90,161.39	6,872.61
Law Enforcement Data Center	722.00	695.07	26.93
Acquisition of Motor Vehicles	15,120.00	15,120.00	0.00
Transfer to Div. of Adm. Hearings	667.00	667.00	0.00
<b>Total Expenditures</b>	<b>\$ 8,777,369.00</b>	<b>\$ 8,667,182.79</b>	<b>\$ 110,186.21</b>
<b>Excess of Revenues over (Under Expenditures)</b>	<b>0.00</b>	<b>91,391.44</b>	<b>91,391.44</b>
<b>Fund Balances July 1, 1993</b>		<b>17,937.53</b>	<b>(17,937.53)</b>
<b>Increases (decreases) in Reserves for Encumbrances</b>		<b>73,453.91</b>	<b>(73,453.91)</b>
<b>Fund Balances June 30, 1994</b>	<b>\$ 0.00</b>	<b>91,391.44</b>	<b>(0.00)</b>

# CLEMENCY

## CLEMENCY ADMINISTRATION

Clemency Administration provides investigation information to the Governor and Cabinet for consideration.

Together with the Office of Executive Clemency, this department processes information regarding eligibility for restoration of civil or residence rights without a hearing when an offender exits the criminal justice system by expiring his commitment or completing his period of community supervision.

In capital punishment cases, the Clemency department, with the assistance of the Commission's field staff, is responsible for conducting an in-depth investigation into all factors relevant to possible commutation. In the presence of defense counsel, the Commission interviews the inmate at the prison. A copy of the interview transcript and the investigative material is submitted to the Governor and Cabinet.

The Clemency department and the Commission's field staff provide for the limited investigation surrounding restoration of civil or residence rights cases which does not require a recommendation by the Florida Parole Commission to the Board of Executive Clemency.

An extensive investigation is conducted by field staff in cases of request for full pardon, firearm authority, conditional pardon and commutation of sentence. Full investigation is required in some cases of restoration of civil rights and restoration of residence rights. An advisory recommendation is then provided by the Parole Commission to the Board of Executive Clemency.

All requests for a waiver of the rules are reviewed by the Commission. Probationers who have completed supervision and are requesting waiver of the rules will undergo field investigation of their offense, criminal record, social status, payment of fines, child support, and community reputation. All inmate case material and application documents are made available to the Commission so that a majority recommendation on the waiver may be made to the Board of Executive Clemency.

## CLEMENCY PROCESS

Executive Clemency power, an act of grace, was vested in the Governor by the Florida Constitution of 1968. The Governor may, by executive order, suspend collection of fines and forfeitures and grant reprieves not exceeding sixty days. With the approval of three members of the full Cabinet sitting as the Board of Executive Clemency, the Governor may grant clemency as listed below except in cases of treason or impeachment. The Parole Commission carries out investigations to assist the Governor and Cabinet in making these decisions.

Conviction of a felony in Florida results in a loss of civil rights: to vote; to hold public office; to sit on a jury; and to own, possess or use firearms. Also, in many cases, it may result in denial, revocation, or suspension of professional licenses.

If granted, a *full pardon* would unconditionally forgive guilt and entitle an applicant to all the rights of citizenship enjoyed prior to conviction.

A *conditional pardon* releases an applicant from punishment only if certain conditions are fulfilled. It forgives guilt and entitles the applicant to the rights enjoyed prior to conviction.

A *remission* would suspend or remove any fines or forfeitures.

After civil or residence rights have been restored, application may be made for *specific authority to own, possess, or use firearms*. The applicant must comply with requirements of the Federal Gun Control Act of 1968.

If *restoration of civil rights* is granted to an applicant convicted of a felony in Florida, all or some of the rights of citizenship enjoyed prior to conviction would be restored. If the applicant was convicted of a felony in another jurisdiction, such restoration is in effect only as long as the applicant is a resident of Florida.

If *restoration of residence rights* is granted to an applicant who is not a citizen of the United States, it restores any and all rights enjoyed as a resident of Florida prior to conviction.

If an applicant is determined eligible for *restoration of civil rights without a hearing* by the Commission or Clemency Administration and no objections are filed by members of the Clemency Board, these rights are restored except firearm authority.

Study and consideration of *commutation* is provided in capital punishment cases. With the conclusion of the State Courts appeal process, the Governor or any member of the Cabinet may request investigation by the Parole Commission into any factors relevant to commutation. Any Board Member may request the case be placed on an agenda of the Board of Executive Clemency and oral arguments are presented by the appropriate State Attorney and attorney for the inmate. The process could result in a change of penalty to one less severe.

An applicant may request a *waiver of the rules* in order to be considered for a form of clemency for which the applicant is ineligible to apply according to the Rules of Executive Clemency of Florida. If granted a *waiver of the rules* by the Board of Clemency, the Office of Executive Clemency may then accept the application.

## YEAR IN REVIEW

The staff of the Clemency department continued to meet its objective of fulfilling the investigative requirements of the Board of Executive Clemency.

The Capital Punishment Research Specialist reviewed the Supreme Court files and the Department of Corrections' files, and prepared investigative briefs on 15 capital cases.

Inmates under death sentence may currently be incarcerated at one of three institutional locations. The Specialist travels with the Commission to the prison facility for the interview, and to the Capitol for public hearings before the Board.

The Capital Punishment Research Specialist spent 741 hours assisting the Governor's Office in special projects. The majority of that time was spent recording and tracking pertinent court decisions in the appeals process.

# CLEMENCY

Staff attended four meetings of the Board of Executive Clemency assisting the Chairman in responding to inquiries from the Board.

The rules of Executive Clemency provide for capital case inmates to receive interviews by panels of at least three Commissioners. The Board also provides a waiver procedure for female inmates to be evaluated by special panels if they meet criteria to claim they are victims of the "battered woman syndrome." Both of these type cases require intensive investigation by field staff.

A special initiative began during this fiscal year to consider conditional commutation of sentence for illegal alien inmates in order to expedite deportation. Florida entered into a Memorandum of Understanding with Immigration and Naturalization to mutually conduct this program. Screening was conducted of the alien prison population to identify nonviolent offenders under final deportation order or willing to accept deportation. Any commutation resulting by action of the Board of Executive Clemency requires the deported alien not to re-enter the United States unless and until authorized by both the INS and Florida's Board of Executive Clemency. Violation of any term may cause the conditional commutation to be revoked and the releasee to be returned for the unserved portion of the sentence.

The Board of Executive Clemency considered 125 alien cases at its regular meeting on June 9, 1994. Conditional commutation was granted in 113 of the cases. The initiative is continuing at the close of the fiscal year.

Eligible life sentence cases were referred by the Department of Corrections for review during this year. These referrals are required pursuant to Dugger v Williams, 16 F.L.W. S749 (Fla. November 27, 1991).

Clemency workload was adversely affected by the state's budget crisis as the Commission worked much of the year with a shortage of examiner positions. Accumulated backlog in pending applications has resulted which is the subject of current study for possible reallocation of field staff resources.



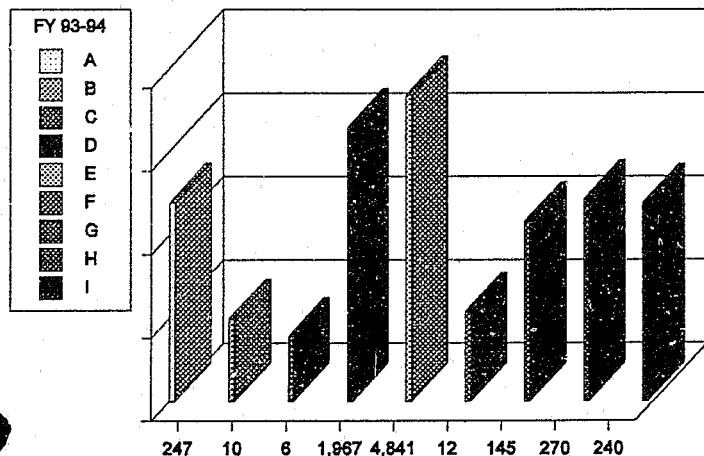
## CLEMENCY ADMINISTRATION

### WORKLOAD

FY 93-94

A) Processing field services clemency investigations	247
B) Capital punishment case briefs	10
C) Capital punishment interviews	6
D) Processing parolees/probationers terminating supervision for eligibility for restoration of civil or residence rights	1,967
E) Processing inmates expiring parolees terminating supervision for RCR	4,841
F) Processing interstate compact parolees terminating supervision for RCR	12
G) Processing commutation of sentence cases	145
H) Processing waivers	270
I) Clemency Board Decisions	240

## Clemency Administration



# PAROLE GRANT

## PAROLE GRANT

Parole Grant is directly responsible for docketing cases, preparing agendas, maintaining official records and producing Commission orders for parole, conditional release, conditional medical release, and the control release program. Additionally this department offers post-conviction services to victims and is a liaison through the interstate compact for the transfer of supervised releases. This department also provides public notice of the Commission's public meetings, supervision and transfers, and coordinates out-of-town voting sessions.

This department is comprised of five sections responsible for the following:

## WORK PROCESSING

This section prepares all cases which are to appear before the Commission for a final decision, which includes preparing dockets and agendas for the weekly commission voting sessions on parole, conditional release, conditional medical release, and the other control release program. Other responsibilities include preparation for the Commission meetings with respect to persons who may wish to appear and speak at the meetings, and the notification of all visitors.

## PAROLE GRANTING

This section provides administrative and clerical support to the Commission when they make their final decisions on parole, conditional release, conditional medical release, and control release cases. This support includes, but is not limited to, recording of votes, maintenance of official voting dockets, the production of Commission orders, preparing orders of postponement, scheduling recessions hearings, and providing judicial notice to the court. This section provides notice of release to the original sentencing judge, the appropriate State Attorney, the original arresting law enforcement agency, the sheriff and victims when inmates are placed on parole, conditional release, control release, or conditional medical release.

## ADMINISTRATIVE REVIEW/MUTUAL PARTICIPATION PROGRAM/INTERVIEW SCHEDULING

This area of responsibility reviews documents received from inmates requesting review of a Commission action. Staff ensures that the documents received meet Commission criteria to be docketed. This section is also responsible for scheduling all interviews for inmates eligible for parole, conditional release and parole supervision reviews. In addition, this section oversees the mutual participation program, which provides inmates with the opportunity to enter into contract negotiations with the Department of Corrections and the Florida Parole Commission for a specific parole date, which is prior to the already established presumptive parole release date.

## INTERSTATE COMPACT

This section is the administrative link between the Commission and parole boards in other jurisdictions. They supervise an administrative case load of control releases living in other jurisdictions and monitor control and conditional releases until such time as they are accepted for supervision by the other jurisdiction. They administratively coordinate matters ranging from securing out-of-state parole plan information to the administrative involvement in return of violators. This section coordinates the scheduling of interviews and insures that

the interviews and parole supervision reviews are conducted in a timely manner. They also assist with obtaining information for out-of-state clemency and Commission investigations.

## VICTIM SERVICES

This section identifies victims at the beginning of the parole, conditional release, conditional medical release and the control release decision-making process. They conduct file reviews in parole and conditional release cases and provide a victim input statement to all known victims prior to the review and the setting of the control release date by the Commission. Staff requests special investigations to document information regarding victim locations. Victims are contacted and advised of their options to participate in Commission proceedings and are advised of the inmate's status. The administrator of this section attends meetings to meet with victims, victims' families and victim advocacy groups.

## THE PAROLE PROCESS

Inmates who commit an offense which results in a conviction prior to October 1, 1983 are eligible for parole consideration. Inmates whose offense occurred prior to October 1, 1983 and who were convicted and sentenced on or after October 1, 1983 may elect to be sentenced pursuant to sentencing guidelines, Rule 3.701 and Rule 3.988, Florida Rules of Criminal Procedure. Capital life felons are eligible for parole consideration regardless of when the offense was committed after the service of the mandatory minimum 25 years.

As a result of an inmate's initial interview, the Commission establishes a presumptive parole release date based on the salient factor scoring, severity of offense behavior and aggravating or mitigating factors. The inmate may request one administrative review of the setting of his presumptive parole release date to verify the accuracy of the presumptive parole release date computation.

At subsequent (biennial) interviews, the Commissioners review the status of the inmate's case since the last interview focusing on institutional adjustment and other new information. Special interviews may be conducted in the instances of serious medical problems, on the receipt of court orders modifying sentences or on a recommendation from the Department of Corrections.

The Commission conducts effective interviews and reviews inmates' institutional adjustment and proposed release plans. Within 90 days of the effective parole release date interview, the Commission must notice the sentencing court and allow 30 days for the court to respond on the notice. After establishing an effective parole release date, the Commission may postpone the release if disciplinary actions are taken against the inmate, new criminal charges are filed or field reports confirm an unsatisfactory parole release plan.

The Commission has the authority to add special conditions of parole, conditional, conditional medical release or control release to provide structure for the releasee and, at the same time, protection of society. Restitution is important in the process and the Commission makes every effort to secure restitution for the victims. In parole cases, the inmate may request one review of the terms and conditions of parole which must be initiated within 120 days of the date a certified copy of the terms of his parole is received.

The Mutual Participation Program involves the development of an agreement between the inmate, Department of Corrections, and the Commission and provides an incentive mechanism for an inmate to



# PAROLE GRANT

gain parole release prior to his presumptive parole release date. The inmate must be parole eligible and all three parties must agree prior to an agreement being approved by the Commission.

Inmates serving single or concurrent sentences are released under supervision up to a period of 2 years unless the Commission stipulates in writing the reasons for an extended parole period. Inmates serving consecutive sentences, by law, are required to be placed under supervision for the maximum period of the court imposed sentence.

## THE CONDITIONAL RELEASE PROCESS

Inmates who are convicted of a crime committed on or after October 1, 1988, which crime is contained in category 1, 2, 3, or 4, of Rule 3.701 and Rule 3.988, Florida Rules of Criminal Procedure (sentencing guidelines) and who have served at least on prior felony commitment as a state of federal correctional institution or is sentenced as a habitual or violent a habitual offender shall, upon reaching their tentative release date be released under supervision subject to specified terms and conditions, including payment of the cost of supervision pursuant to Section 945.30, Florida Statutes. Effective October 1, 1992, Section 947.1405, Florida Statutes, was amended to read "however, an inmate who has been convicted of a violation of Chapter 794, is subject to the maximum level of supervision provided, and that supervision shall continue through the end of the releasee's original court imposed sentence. The length of supervision must not exceed the maximum penalty imposed by the court."

## CONDITIONAL MEDICAL RELEASE

Section 947.149, Florida Statutes, provides that there is to be created the conditional medical release program. All inmates except those receiving the death penalty are eligible for consideration for release under the conditional medical release program when the inmate, because of an existing medical or physical condition, is determined by the department to be a "permanently incapacitated inmate" or "terminally ill inmate". The authority to grant or deny conditional medical release and establish additional conditions of conditional medical release rests solely within the discretion of the Commission.

## PAROLE SUPERVISION REVIEWS

The Commission is required to review the progress of each person who has been placed on parole after two (2) years of supervision in the community and biennially thereafter. The review includes consideration of whether or not to modify the terms and conditions of the parolee. For example, the commission may allow the parolee to submit reports quarterly, semi-annually, or annually. The Commission may further modify the terms and conditions of the person's parole, may discharge the person from parole, may relieve the person from making further reports or may permit the person to leave the state or country upon determining such action is in the best interest of the person and of society.

## VICTIM SERVICES

Victim Services is responsible for ensuring that the Commission is compliance with the Victim's Assistance Law (Chapter 960, Florida Statute) and other statutes governing victims' rights relating to Parole Commission releases. The Commission is sensitive to the rights of victims and carefully considers their input in their deliberations regarding release.

Victim Services made numerous contacts in providing services to victims during the 1992-93 fiscal year. Services include personal contact with victims at public hearings, letters, telephone calls, and investigations conducted by field staff to locate and explain to victims their rights in the process.

Victims's rights include the right to be notified of public hearings scheduled by the Commission to consider whether to grant or deny parole, or whatever other action they deem necessary. Victims of crimes committed by parole-eligible inmates have the right to make oral statements at the public hearings or submit written statements to the Commission concerning parole.

The Commission is a member of the Florida Network of Victims' Witness Services, a statewide advocacy group that promotes the rights of victims. The Administrator and staff also work very closely with victims' rights groups throughout the state, i.e. Mothers Against Drunk Driving (MADD), Parents of Murdered Children, Stop Putting Out Prisoners (STOP), victim witness counselors in State Attorney offices, and other victim advocacy groups.

The Commission has a Victims' Advocacy Advisory Committee which offers valuable assistance to the Commission concerning policy and programs as it relates to victims. The committee is composed of knowledgeable persons who are active in the victims' rights movement.

## PAROLE GRANT WORKLOAD

Workload	FY 93-94
Parole and conditional release docket caseload	5,019
Vote sheets and orders prepared	6,422
Judicial notes delivered	339
Letters to victims	667
Inmate cases with visitors	1,518
Visitors at hearings	1,699
Control release docket caseload	36,153
Interstate control release cases monitored	480
Control release screens run	66,721
Control release victim letters	10,114
Victim Input Statements mailed	24,676
Interstate Compact cases reviewed	12,740
Interstate reporting contacts	2,150
Notices of release mailed	24,707
Data entry of Victim Input Statement and Notice of Release	6,984

# FIELD SERVICES/REVOCATION

## FIELD SERVICES

Field Services is geographically divided into five regions. Regions are managed by an administrator who directs the day-to-day activities of the field staff. This staff of parole examiners is responsible for carrying out a variety of functions which impact all aspects of the Commission's operations.

Examiners are responsible for verifying the eligibility of inmates for parole consideration through a review of court documents. Verification of an inmate's proposed release plan is accomplished by on-site investigation. Examiners locate victims and verify the amount of restitution. Parole Supervision reviews are conducted in partnership with the supervising parole officer in order to periodically re-evaluate the status of parolees. Executive Clemency investigations are conducted and may include; full pardon clemency requests; conditional pardons; the grant of authority to own, possess or use firearms; restoration of civil rights; requests for individual waiver of the Rules of Executive Clemency and Treaty Transfer investigations on behalf of other countries.

Parole examiners conduct reviews and interviews in State, County and Federal custodial facilities, making appropriate recommendations to the Commission regarding the establishment of and modification of parole release dates, and the eligibility of inmates for conditional release supervision. Working with Department of Corrections staff and inmates, examiners review and analyze mutual participation proposals, conduct negotiations, renegotiations, amendments and violation hearings for the Commission's review and decision. Examiners also conduct control release evaluations and make recommendations to the Commission regarding control release dates and terms and conditions of supervision.

Examiners issue subpoenas and conduct preliminary hearings locally to determine whether there is probable cause that a parolee has violated the terms and conditions of the release. Examiners also conduct bond hearings on Commission warrants, and conduct final parole revocation hearings. In each of these matters the findings and recommendations are forwarded to the Commission for a final decision. Examiners also conduct final revocation hearings on cases involving alleged violations of conditions of conditional, control release and conditional medical release supervision.

An important function of the field staff is its interrelationship with the local community. Regional and satellite offices provide citizens with local access to the Commission. Countless hours are spent assisting citizens with their questions and concerns. In addition, field staff arrange for and assist in Commission meetings outside of Tallahassee.

In the absence of adequate legislative funding to provide legal counsel to indigent violators, field staff continue to be involved with the courts, local bar associations and private attorneys in order to insure that no individuals' rights are violated as the result of funding deficiencies.

## FIELD SERVICES WORKLOAD

### WORKLOAD

FY 93-94

#### Parole

Initial Interviews	256
Biennial/Special Interviews (Subsequent)	2,079
Effective Interviews	343
Eligibility Reviews	267
County Jail Check	946
Initial Preliminary Hearing Interviews	393
Preliminary Hearings	150
Bond Hearings	285
Initial Pre-Revocation Interview	215
Staff Revocation Hearings	305

#### Control Release

Control Release File Reviews	1,002
Control Release Eligibility Reviews	1,236
Control Release Violation Hearing Interviews	7,451
Control Release Violation Hearings	1,534
Control Release Bond Hearings	5,857

#### Conditional Release

Conditional Release Interviews	2,669
Conditional Release Eligibility Reviews	12,469
Conditional Release Violation Hearing Interviews	602
Conditional Release Violation Hearings	327

#### Clemency

Clemency Investigations	332
Restoration of Civil Rights Investigations	17,340
Waiver Investigations	27

#### Other Investigations

Type A Investigations	2,806
Type B Investigations	886

#### Mutual Participation Program

Proposal Reviews	31
Negotiations	19
Renegotiations/Amendments	2

## CONTROL RELEASE

When sitting as the Control Release Authority, the Commission's responsibility is to maintain the prison population at its lawful capacity and at the same time keep the most violent offenders in prison for as long as possible within the court-imposed sentence.

The Control Release section plans, organizes and directs the Control Release Program activities on a statewide basis, provides quality control monitoring for new and on-going control release activities, and is responsible for data entry of control release actions.

## FIELD SERVICES/REVOCATION

The Control Release Administrator and Department of Corrections staff, analyze projected prison admissions and space availability. Weekly recommendations are made to the Commission concerning control release date advancements necessary to maintain the prison population within the statutory limit.

In FY 93-94 there were 16,658 inmates released by control release with supervision and 3,692 released via control release without supervision. Of those released, 4,055 were returned due to revocation of supervision. The Commission advanced control release advanceable dates 4,545 days, for a weekly average of 94.6 days.

The section processed 12,958 Department of Corrections recommendations regarding control release eligible inmates. Control Release additionally handled 3,291 requests to field offices for additional information or file reviews and 9,097 inquiries regarding control release from the public and Commission staff.

There were statutory changes in control release due to passage of SB 26-B during the May, 1993 Special Session. This law made non-violent habitual offenders, and drug offenders with convictions of drugs within 1,000 feet of a school or 200 feet of a public facility eligible for control release consideration. The law authorized increasing the lawful prison capacity to 99% from 97.5% and created Emergency Control Release, thereby making the Parole Commission solely responsible for control of the prison population.

### REVOCATIONS

The Commission has the authority to issue a warrant for any person that it has reasonable grounds to believe has violated the terms or conditions specifically enumerated in the parole, conditional or control release order.

The revocation process begins when the Commission is notified by the Department of Corrections or Law Enforcement that a releasee under supervision has allegedly violated one or more conditions of release. A written violation report is analyzed by a revocation specialist and if appropriate, a warrant is drafted and presented to a Commissioner for a decision on whether or not to issue the warrant.

In parole revocation cases, a preliminary hearing is conducted by a parole examiner in the county of arrest within 30 days after arrest to determine if there is probable cause to believe that a violation did occur. The alleged violator is entitled to be present at the hearing, to subpoena defense witnesses, to be represented by counsel and to cross examine state witnesses. He may waive the preliminary hearing or postpone the hearing until local charges by the state or other prosecuting authorities are disposed of. He may also request release on recognizance (ROR) pending the revocation hearing.

If probable cause is found, the alleged violator is returned to one of five Department of Corrections reception centers (unless released on ROR). The Commission has 60 days from the date of written notification of the parolee's return to custody to convene a final revocation hearing. This hearing is designed to determine if terms or conditions of parole have been violated and if so, whether the parolee should be returned to prison, reinstated to the original order of parole or discharged from supervision. The Commission may place parolees on community control by special order which contains the terms and conditions of community control.

The revocation processes for control and conditional release are identical and are governed by 947.141, Florida Statutes. If the Commissioner signs the warrant, the Commission's revocation staff transmits the warrant to the appropriate agency for service. A revocation hearing must be conducted or waived within 45 days after arrest of the releasee on the Commission's warrant. Within three days after arrest, the offender is informed of the alleged violation with which he is charged, his right to be represented by counsel, be present at the hearing, subpoena the attendance of witnesses relevant to the proceeding, produce documents on his own behalf, access to all evidence used against him, confront and cross-examine adverse witnesses, and his right to waive the hearing. The Commission appoints counsel for qualified indigent releasees involved in the revocation process.

The Commission in January 1994 initiated an Emergency Warrant Program with the advise and assistance of both the Governor and Attorney General. When a control and conditional releasee is arrested on a new felony charge, the Commission issues a hold no bond to the arresting agency, and then issues a warrant within 72 hours of the first appearance, when probable cause is established by the magistrate. The Commission issued 1,097 emergency warrants in the first six months of the program.

Within a reasonable time after a revocation hearing, the Commission enters an order determining whether the charge of violation of release has been sustained based upon evidence presented at the hearing. The Commission may revoke the release and return the violator to prison to serve the remainder of the sentence, reinstate the original order granting release or enter such order as it considers proper.

### REVOCATION WORKLOAD

WORKLOAD	FY 93-94
Issuance of warrants	11,115
Processing existing warrants	5,196
Revocations	6,490
Reinstatements/Discharges	1,384
Bond Hearings	1,109
Governor's Warrants	64

## COMMISSION AWARDS

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### CHAIRMAN'S AWARD 1993-94 CATEGORY I

**Sherry Colvin**



Sherry Colvin has been an employee of the Parole Commission for 26 years. During that time, she has been a positive influence in the lives of a number of Commission employees. Her background includes work in the Chairman's Office, Commissioner's Offices, Revocations and Interstate Compact. Sherry's is a true professional who can always be counted on to assist in any way needed. Her technical expertise has been a valuable resource to the Commission.

### CHAIRMAN'S AWARD 1993-94 CATEGORY II

**Angril "Shane" Bozman**



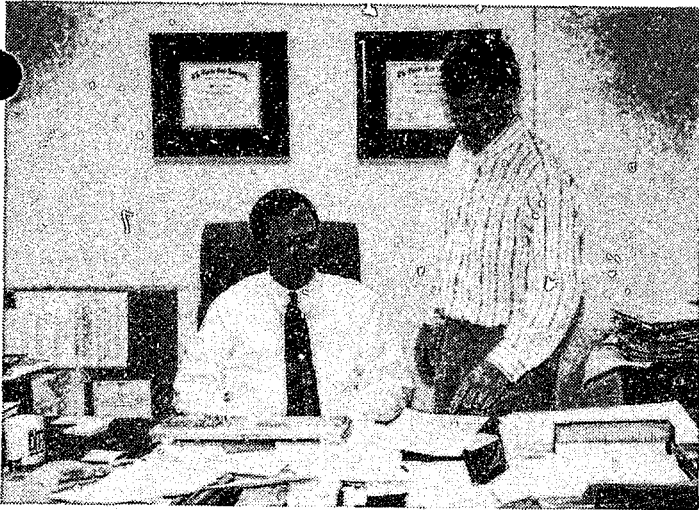
Shane Bozman has worked for the Parole Commission for four years. In that time, her work performance has reached an outstanding level. Shane constantly goes beyond the call of duty for her coworkers. Her organizational skills and dedication have become an asset to the Revocations staff.

### EMPLOYEE OF THE YEAR 1993-94

**David Roberts**



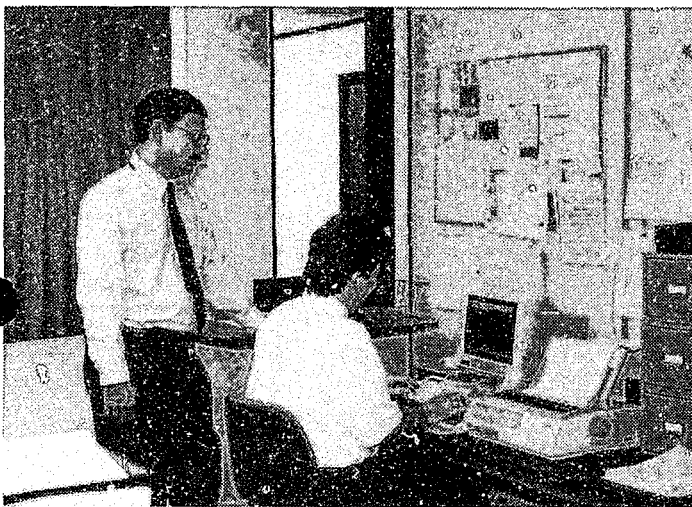
David Roberts has been employed by the Parole Commission for 24 years. Since his return to Revocations in July 1992, David has assisted the Commissioners in issuing 2,791 warrants and 2,434 final Revocation Orders, twice the workload required by performance standards. As the workload in the Revocations section has increased, staff has come to rely on his sound judgement, strong work ethic and professionalism.



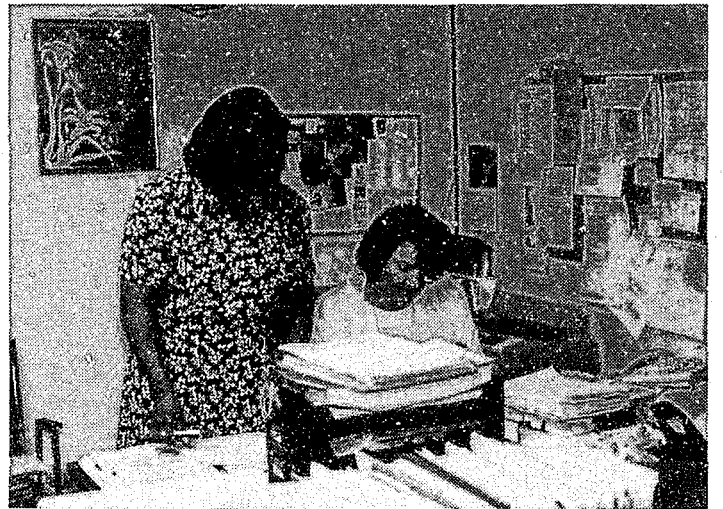
*Control Release*



*Work Processing*



*Revocations*



*Parole Granting*



*Parole Grant*

## **RETIREMENTS**

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### **Howard Miller**

Howard Miller was born and raised in Michigan. He came to Florida to attend college and play minor league baseball. Howard received his Associate of Arts Degree in 1957 from St. Petersburg Junior College. He received his Bachelor of Arts Degree in Psychology from the University of Florida in 1959, and did post-graduate studies at the University of Tampa from 1959-1960, earning a Teacher's certificate.

Howard Miller began his employment with the Florida Parole Commission on June 16, 1960, in the St. Petersburg office. He worked in city court in St. Petersburg from 1966 to 1973 as a probation officer and then returned to the Parole Commission in August 1973. Howard moved to the central office as Field Services Director in 1978.

After completing a good many years in central office in the Revocations Section, Howard Miller retired on December 31, 1993. His good nature and sense of humor have blessed many at the Commission, and he will be missed.

### **Gloria Williams**

Gloria Williams began her career with the Florida Parole Commission January 8, 1962. She began her career as Clerk Messenger, worked in various capacities within the agency and at the end of her career, was a Parole Technician Supervisor in the Work Processing section. Gloria retired after 30 years of service on July 30, 1993.

Gloria had outstanding evaluations and wherever she worked, she was always recognized for her consistency, being courteous and pleasant, cordial, organized and a team player. One supervisor described her as possessing abilities that no other employee in her position can claim. Gloria will be missed by all and we wish to thank her for 30 years of service to the state.

### **Wanda Bryan**

Wanda Bryan began her career with the Florida Parole Commission on September 23, 1963. She worked as a Parole Case Analyst, Administrative Assistant I, Parole Specialist and most importantly, as the Parole Technician Supervisor where she supervised one of the busiest sections within the Commission. She is recognized as being hardworking, efficient, and an employee who takes immense pride in her work. Her co-workers so honored her during FY 88-89 by electing her for the Chairman's award. Wanda retired on October 21, 1993.

Wanda has consistently been described as one of the Commission's most outstanding supervisors, but above all that, she has exemplified her performance by continuously accepting more and more work and still maintained a high caliber of performance from her subordinates. Wanda will be sorely missed and we wish her the best in her retirement.

### **Jodi Ireland**

Jodi Ireland came to the Parole Commission as an Executive Secretary to Commissioner Wolson on January 21, 1980, and remained an Executive Secretary until February 8, 1985. She then became an Administrative Assistant I to the Director of Parole Grant, heading up the section, handling Administrative Reviews, scheduling of interviews and the Mutual Participation Program. Due to medical problems, Jodi retired on disability January 14, 1993. Her supervisors have said that she demonstrated herself to be an exceptional employee. She was exceptional in the organization of office operations, learned quickly, accepted additional responsibility, needed little supervision and was respected by her co-workers. She was always available for duties above and beyond the call and exemplified sound judgement and always strived to increase her knowledge.

Jodi, unselfishly, always put others ahead of herself. We miss her heading up retirement parties, Christmas parties, and other special occasions. We all wish Jodi the very best in her retirement.



## **YEARS OF SERVICE**

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### **THIRTY YEARS AND MORE**

Ray Howard, Director of Clemency, Central Office  
Gloria Williams, Parole Technician II, Central Office  
Spence McCall, Regional Administrator, Region III  
Carolyn Tibbets, Capital Punishment Research Specialist, Central Office  
Edward Jenkins, Regional Administrator, Region V

### **TWENTY-FIVE YEARS OR MORE**

William Browning, Regional Administrator, Region II  
Wanda Bryan, Parole Technician Administrator, Central Office  
Ray Chancey, Parole Examiner Supervisor, Region III  
Sherry Colvin, Administrative Assistant II, Central Office  
Samuel Cooper, Parole Examiner, Region V  
Ann Knight, Accountant I, Central Office  
Annette Messer, Parole Technician Administrator, Central Office  
Howard Miller, Senior Revocation Specialist, Central Office  
Hunter Pfeiffer, Parole Examiner Supervisor, Region I  
Kenneth Simmons, Commissioner, Central Office

### **TWENTY YEARS OR MORE**

Wilma Burns, Parole Examiner, Region III  
Merle Davis, Director of Parole Grant, Central Office  
Sara Edenfield, Administrative Assistant I, Central Office  
Lionel Garcia, Parole Examiner Supervisor, Region V  
Cynthia Griffin, Executive Secretary, Central Office  
Mike Hamm, Regional Administrator, Region I  
Ronald Harrell, Parole Examiner, Region I  
Lynda Henderson, Administrative Assistant II, Central Office  
Phyllis Keenan, Administrative Assistant I, Central Office  
Richard Lonsinger, Parole Examiner, Region I  
Julia McGill, Parole Technician II, Central Office  
David Roberts, Senior Revocation Specialist, Central Office  
Donna Snow, Parole Examiner, Central Office  
Lola Taylor, Accountant Services Supervisor I, Central Office  
Malinda Thomas, Parole Technician Administrator, Central Office  
James Trotter, Parole Examiner, Region II  
Herman Watkins, Parole Examiner Supervisor, Region II  
Ora Wilson, Administrative Assistant II, Central Office  
Judith Wolson, Commissioner, Central Office

### **FIFTEEN YEARS OR MORE**

Maurice Crockett, Commissioner, Central Office  
Carolyn Davis, Executive Secretary, Central Office  
Winnofae Fair, Executive Secretary, Central Office  
John Franks, Parole Examiner Supervisor, Region III  
Peggy Gibbs, Secretary Specialist, Region I  
Josephine Jackson, Parole Technician I, Central Office  
Jeffrey Jansen, Revocation Administrator, Central Office  
Peggy Peel, Administrative Secretary, Region V  
Roosevelt Perkins, Parole Examiner Supervisor, Region IV  
Guy Revell, Commissioner, Central Office  
Paula Stevenson, Administrative Assistant III, Central Office  
William Sutton, Parole Examiner, Region III  
Ida Walker, Clerk Specialist, Central Office

# CENTRAL OFFICE DIRECTORY

Central Office Fax (904) 488-7199 or Suncom 278-7199

## OFFICE OF GENERAL COUNSEL

William L. Camper - General Counsel

(904) 488-4460

## ADMINISTRATIVE SERVICES

Shirley A. Miller - Director

(904) 488-3415

## CLEMENCY ADMINISTRATION

Ray E. Howard - Director

(904) 487-1175

## PAROLE GRANT

Merle D. Davis - Director

(904) 488-6194

## FIELD SERVICES/REVOCATION

Clarence N. Rudloff - Director

(904) 922-3013

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## FIELD OFFICE DIRECTORY

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### REGION I - CHATTAHOOCHEE

Mike Hamm - Regional Administrator

P. O. Box 861

Chattahoochee, Florida 32324-0861

Phone (904) 663-4051

SC 282-4041

FAX (904) 663-4044

**Counties Covered:** Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Wakulla, Washington

### REGION II - STARKE

William "Bill" Browning - Regional Administrator

1210 Andrews Circle Drive - North

Starke, Florida 32091-2132

Phone (904) 964-8110

SC 821-5496, 5497

FAX (904) 964-3079

**Counties Covered:** Alachua, Baker, Bradford, Clay, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor, Union, Volusia

### REGION I - SATELLITE OFFICE - PENSACOLA

Hunter J. Pfeiffer - Supervisor

1813-A West Fairfield Drive

McDonald Shopping Center

Pensacola, Florida 32501-1040

Phone (904) 444-8859

SC 693-8985, 8284

FAX (904) 444-2397

**Counties Covered:** Escambia, Okaloosa, Santa Rosa, Walton

### REGION II - SATELLITE - JACKSONVILLE

Herman Watkins - Supervisor

4151 Woodcock Drive

Suite 213

Jacksonville, Florida 32207-2716

Phone (904) 348-2610

SC 870-2610

FAX (904) 348-2634

**Counties Covered:** Duval, Flagler, Nassau, St. Johns



# FIELD OFFICE DIRECTORY

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## REGION III - ORLANDO

Spence McCall - Regional Administrator  
3535 Lawton Road, Suite 160  
Orlando, Florida 32803-3743  
Phone (407) 897-2990  
SC 342-2990  
FAX (407) 897-4164  
**Counties Covered:** Brevard, Orange, Osceola, Seminole

## REGION IV - SATELLITE OFFICE - SUNRISE

Cindy Zimmerman- Supervisor  
7771 West Oakland Park Blvd., Suite 121-C  
Sunrise, Florida 33351  
Phone (305) 749-1906  
SC 451-5030  
FAX (305) 572-3922  
**Counties Covered:** Broward

## REGION III - SATELLITE OFFICE - LEESBURG

Ray Chancey- Supervisor  
1004 N. 14th Street, Suite 105  
Leesburg, Florida 34748  
Phone (904) 360-6530  
SC 668-6530  
FAX (904) 360-6534  
**Counties Covered:** Citrus, Hernando, Lake, Marion, Sumter

## REGION V - TAMPA

Edward Jenkins - Regional Administrator  
Park Trammel Building  
1313 N. Tampa Street, Suite 618  
Tampa, Florida 33602-3327  
Phone (813) 272-2642  
SC 571-2642  
FAX (813) 272-2410  
**Counties Covered:** Hillsborough, Manatee, Pasco, Pinellas, Polk

## REGION IV - MIAMI

Beth Layman - Regional Administrator  
8405 N.W. 53rd Street - Suite B-106  
Miami, Florida 33166  
Phone (305) 470-5069, 5070  
SC 429-5069  
FAX (305) 470-6748  
**Counties Covered:** Dade, Monroe

## REGION V - SATELLITE OFFICE - ARCADIA

Lewis Parker- Supervisor  
9 East Oak Street  
Arcadia, Florida 33821  
Phone (813) 993-4624  
SC 740-4626  
FAX (813) 993-3388  
**Counties Covered:** Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands, Lee, Sarasota

## REGION IV - SATELLITE OFFICE - WEST PALM BEACH

Roosevelt Perkins- Supervisor  
Elisha Newton Dimick Building, Suite 203  
111 Georgia Avenue  
West Palm Beach, Florida 33401-5292  
Phone (407) 837-5128  
SC 252-5128  
FAX (407) 837-5313  
**Counties Covered:** Indian River, Martin, Okeechobee, Palm Beach, St. Lucie

## NEW LEGISLATION ENACTED IN 1994 SESSION

The most significant legislation of the 1994 legislative session was the creation of the no-bond hold for releasees and the Commission's emergency warrant program. Chapter 94-121, L.O.F., amended section 947.141, F.S., and created the no bond hold for releasees arrested for a new crime until the initial appearance and determination of probable cause. Upon finding probable cause for arrest, the offender must be held in custody for up to 72 hours, excluding weekends and holidays, pending issuance of a Commission warrant and until the subsequent revocation hearing. The Commission was appropriated two FTE's for this program, which became effective on May 4, 1994.

Chapter 94-228, L.O.F., amended sections 775.082 and 790.161, F.S., making persons convicted of certain capital felonies ineligible for parole. Effective May 25, 1994, anyone convicted of first degree murder or of a capital felony under s. 790.161, F.S., is ineligible for parole.

Chapter 94-294, L.O.F., amended sections 947.146 and 947.1405, F.S., authorizing the Commission to require a releasee as a condition of control release or conditional release to make payments toward a debt to a county or municipal detention facility for medical care received by the releasee while in the custody of the detention facility. The Control Release Authority is required to consider the amount of the debt and potential earnings of the releasee, among other factors, when setting conditions of release of inmates who have incurred such debt.

Chapter 94-111, L.O.F., amended section 947.146, F.S., requiring that the Control Release Authority maintain the state prison system between 99 and 100 percent rather than at or below 99 percent of lawful capacity. It also provides that if the prison population exceeds 100 percent of lawful capacity and remains in excess of 100 percent of lawful capacity for 14 days the Secretary of the Department of Corrections must certify that fact to the Chairman of the Commission who must then notify the Governor that a state of emergency exists.



*Office of General Counsel*

## GOVERNOR AND GENERAL COUNSEL

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*left to right:*

Robert A. Butterworth, Attorney General  
Douglas L. Jamerson, Commissioner of Education  
Bob Crawford, Commissioner of Agriculture

Gerald A. Lewis, Comptroller

Lawton Chiles, Governor

Tom Gallagher, State Treasurer and Insurance Commissioner

Jim Smith, Secretary of State

This public document was promulgated at an annual cost of \$1,800.74 or \$2.66 per copy to train staff and inform the Governor and Cabinet, members of the Legislature, and the general public of the status and accomplishments of this agency. Pursuant to Florida Statutes 947.15.