



FLORIDA COMMISSION ON OFFENDER REVIEW

A Governor and Cabinet Agency Created in 1941



COMMISSION ACTIVITIES

YEAR IN SUMMARY STATISTICS

DEPARTMENT REPORTS

2022
ANNUAL
REPORT

FLORIDA COMMISSION ON OFFENDER REVIEW



Commissioner David A. Wyant, Secretary
Commissioner Melinda N. Coonrod, Chairman
Commissioner Richard D. Davison, Vice Chairman
(Pictured from left to right)

FLORIDA BOARD OF EXECUTIVE CLEMENCY

Nikki Fried, Commissioner of Agriculture
and Consumer Services

Ron DeSantis, Governor

Ashley Moody, Attorney General

Jimmy Patronis, Chief Financial Officer
(Pictured from left to right)



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FCOR Mission Statement

Ensuring public safety and providing victim assistance through the post prison release process.

CHAIRMAN'S MESSAGE



Dear Governor DeSantis and members of the Cabinet, Senate President Passidomo, and Speaker Renner:

It is my pleasure to present to you the Florida Commission on Offender Review's annual report. As a quasi-judicial agency, the Commission plays a unique role in the Florida criminal justice system. We process clemency applications, make determinations about parole, conditional medical release, conditional release, and addiction release supervision about incarcerated inmates and offenders with pending revocations, as well as serve inmate supporters and provide support to victims and their families. Compared to other state agencies, the Commission is small, yet our role in protecting the public and administering justice is of great importance.

This year, we completed thousands of investigations, coordinated clemency hearings at the direction of the Governor, and held weekly parole hearings in Tallahassee and at locations throughout the state, among many other accomplishments.

Other highlights from this year include the completion of an update to a database vital to our operations, the Commission Management System (CMS), and procurement of additional funding during the 2022 Legislative Session.

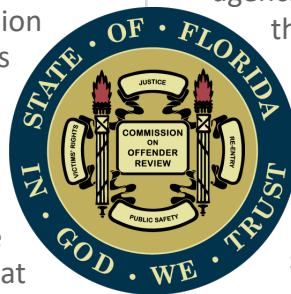
The Commission is grateful to state leadership for their ongoing support and guidance and for our many collaborations and partnerships with other state agencies, all of which contributed to our success this year.

As expressed in our mission statement, the Commission is committed to ensuring public safety, and this is a commitment that we not only carry proudly but that is met with a collective resolve to serve the state of Florida.

In the following pages, I respectfully submit our detailed accomplishments for 2022.

Sincerely,

Melinda N. Coonrod, Chairman



COMMISSIONERS' VITAE



MELINDA N. COONROD

Chairman

Commissioner Melinda N. Coonrod began her criminal justice career in 1992 when she was appointed to serve as an assistant state attorney for the Second Judicial Circuit. In this role, Commissioner Coonrod prosecuted perpetrators of crimes, advocated sentencing of those found guilty, and worked closely with victims and various law enforcement agencies. She later served as an administrative hearing officer with the Florida Department of Agriculture and Consumer Services Division of Licensing, where she presided over hearings involving the denial, suspension, and revocation of licensure. Additionally, Commissioner Coonrod has represented children before state courts as a certified court-appointed guardian ad-litem, provided training seminars to various law enforcement agencies, and instructed graduate and undergraduate courses at the Florida State University College of Criminology and Criminal Justice. Commissioner Coonrod received a

bachelor of science degree from Florida State University College of Business and a doctor of jurisprudence from Nova University.

Commissioner Coonrod was initially appointed by the Governor and Cabinet on June 26, 2012, and was unanimously confirmed by the Florida Senate on April 29, 2013. Commissioner Coonrod was reappointed by the Governor and Florida Cabinet on June 13, 2018, to serve a second six-year term, and was confirmed by the Florida Senate on May 1, 2019. In December 2020, Commissioner Coonrod was reappointed as Commission Chair for a third consecutive two-year term. Commissioner Coonrod's term expires June 30, 2024. She is a member of the Florida Bar, Tallahassee Bar Association, Association of Paroling Authorities International, Florida Council on Crime and Delinquency, and Tallahassee Women Lawyers Association.



RICHARD D. DAVISON

Vice Chairman

Commissioner Richard D. Davison began his criminal justice career in 1989 as an assistant state attorney in the Ninth Judicial Circuit where he prosecuted felony, misdemeanor, and traffic cases. In 1991 he became the staff attorney for the Florida House of Representatives Committee on Criminal Justice. He then served as an assistant statewide prosecutor in the Office of Statewide Prosecution where he prosecuted white-collar crime, organized crime, and other criminal enterprises.

Following the creation of the Florida Department of Juvenile Justice in 1994, Commissioner Davison served as that department's director of legislative affairs, assistant general counsel, and deputy secretary. Subsequently, Commissioner Davison was appointed deputy secretary of the Florida Department of Corrections. Prior to his appointment to the Commission, Commissioner Davison was also employed as an associate for Williams, Wilson, and Sexton, P.A., and as legal counsel for the Gadsden County Sheriff's Office.

Commissioner Davison received a bachelor of science degree from Florida State University in 1984 and a doctor of jurisprudence from the University of Florida in 1988. Commissioner Davison was originally appointed to the Commission by the Governor and Florida Cabinet on August 19, 2014, and was confirmed by the Florida Senate on April 29, 2015, to serve a six-year term. Commissioner Davison was re-appointed to the Commission by the Governor and Florida Cabinet on December 15, 2020, and was confirmed by the Florida Senate, to serve a second six-year term that extends until June 30, 2026.



DAVID A. WYANT

Secretary

Commissioner David A. Wyant began his criminal justice career in 1994 as a patrol officer with the Bartow Police Department. In 1996, he was promoted to serve as a detective in the Special Investigations Unit where he investigated narcotic, vice, and other high-profile crimes. For his efforts in this role, Commissioner Wyant was selected as the Bartow Chamber of Commerce Police Officer of the Year in 1997.

After serving in the community-focused policing squad bike patrol unit, Wyant returned to the role of detective in 2002 where he was responsible for investigating economic, person, and property crimes as well as homicides. In 2006, Commissioner Wyant was promoted to serve as the department's sergeant of detectives and was appointed as the deputy chief in 2014, subsequently earning numerous commendations and the Polk County Police Chiefs Association Officer of the Year Award.

Commissioner Wyant received a bachelor of arts degree in criminal justice from St. Leo University in Tampa and is a graduate of the FBI National Academy in Quantico, Virginia. He was appointed by the Governor and Florida Cabinet on May 10, 2016, and was confirmed by the Florida Senate on May 5, 2017, to serve a six-year term. He is a member of Florida Police Chiefs Association, FBI National Academy Association, Florida Council on Crime and Delinquency, and Association of Paroling Authorities International.

COMMISSION HISTORY

In the early 1800s, state prisoners were leased to Florida companies as laborers. This convict leasing system ended after the notorious Tabert case. Martin Tabert was a young prisoner convicted of stealing a ride on a freight train, after which he died as a result of the brutal treatment administered by the lumber company boss to whom he was leased. An incensed public demanded the discontinuance of leasing prisoners, but prison overcrowding, the high cost of housing, and pressure for better treatment of prisoners set the stage for opportunists to peddle their influence in the pardoning of prisoners. The Pardon Board was created by the 1885 Florida Constitution and was composed of the Governor and Cabinet. Due to the limitations of the pardon system, the Florida Parole and Probation Commission was established in 1941. The Commission selected sentenced inmates for parole release and its field staff provided supervision. In 1975, the responsibilities of the supervising field staff were transferred to the Florida Department of Corrections (Department). Below is an abbreviated timeline outlining the Commission's role in Florida's criminal justice system.

1978 The Florida Legislature enacted the Objective Parole Guidelines Act, requiring 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 a favorable parole outcome. The act also provided for reorganization of the agency into functional areas.

1983 Under sentencing guidelines, the Commission retained paroling authority for inmates whose felony offenses were committed prior to October 1, 1983.

1988 The Victim Assistance Law was enacted and provided that the crime victim, or family of the victim, have the opportunity to provide input into the decision-making process.

1988 The conditional release program was enacted and provides that inmates convicted of certain crimes, and who have served at least one prior felony commitment at a state or federal correctional institution or have been sentenced as a habitual offender, violent habitual offender, violent career criminal, or sexual predator, shall be released under supervision on their tentative release date subject to specified terms and conditions established by the Commission.

1989 Control release authority was established. 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 maintain the state's prison population between 99% and 100% of its total capacity. The control release program became effective September 1, 1990, and over the next four years, 75,000 inmates were released through this program.

1992 The conditional medical release program was established. This program authorizes the Department to recommend to the Commission terminally ill or permanently incapacitated inmates for early release due to their medical conditions.

2001 The Legislature created the addiction recovery supervision program and placed it under the Commission's administration. The law requires the Commission to set the terms and conditions of supervision, and to address alleged violations of supervision if the offender fails to abide by the conditions.

2010 The Legislature provided the Commission authority to increase the interval between parole consideration re-interviews to within seven years for parole eligible offenders who have been convicted of murder, attempted murder, sexual battery, or attempted sexual battery, or who are serving a 25-year minimum mandatory sentence component. For victims and their families, reduction in the frequency of parole opportunities lessens the trauma, stress, and financial burden associated with the potential release of an offender.

2013 The Legislature expanded the list of crimes eligible for subsequent interview dates to be set within seven years to include the act or attempt of kidnapping, and the crimes of robbery, burglary of a dwelling, burglary of a structure or conveyance, or breaking and entering, or an attempt thereof of any of these crimes in which a human being is present and a sexual act is completed or attempted. The sexual act or attempt thereof does not apply to the kidnapping offenses.

2014 The Legislature changed the name of the Commission from the Florida Parole Commission to the Florida Commission on Offender Review. The Legislature reassigned the responsibility for appointing capital clemency counsel from the Justice Administrative Commission to the Board of Executive Clemency (Board). Under the bill, the Board appoints private counsel with the fees paid from funds appropriated to the Commission.

FACTS ABOUT THE COMMISSION

As a quasi-judicial, decision-making body, the Commission performs a vital role in Florida's criminal justice system by preserving the autonomy needed in post release decisions affecting inmates and offenders.

Commissioners preside over weekly meetings at the Central Office in Tallahassee and at various locations throughout the state to encourage participation by victims, victims' families, and inmates' families who would otherwise not be able to attend. While inmates are not present at these hearings, the Commission provides a victim coordinator and an inmate family coordinator to assist both parties during the proceedings. Commissioners make a variety of determinations regarding parole and other forms of release during the hearings. In addition, the Commission reviews releasee supervision status every two years, or as otherwise ordered by the Commission.

Every parole-eligible inmate has a right to proper consideration for parole, and these proceedings must be conducted as required by law. In both parole and conditional medical release proceedings, testimony and pertinent information may be provided by the victims, the victim's family, representatives of the inmate, and the inmate's family. The Commissioners may also hear from law enforcement, state and private attorneys, and other interested parties. This proceeding is often the first opportunity for a victim, or family member of a victim, to provide input in a non-adversarial venue. If parole is granted, the Commissioners will address victim restitution issues, as well as special conditions needed to ensure the protection of the citizens in our state and the successful re-entry of the inmate into society.

During meetings, the Commission also conducts other types of proceedings, such as ordering release to and imposing conditions of conditional release or addiction recovery supervision. The Commission makes final determinations with regard to revocation of all types of supervision, where a releasee may have violated the conditions of their release. When the Commission determines that the releasee is guilty of a willful and substantial violation, the Commission may order the releasee's return to prison to complete service of the original term of imprisonment.

The Commission serves as a cost-saving mechanism for the taxpayers of the state of Florida by conducting revocation hearings for releasees in informal surroundings conducted

before an investigator, and usually held at a county jail, with witnesses to the violation providing pertinent testimony. The United States Supreme Court has fully sanctioned the state's use of these less costly proceedings, with limited due process requirements. Probation revocation hearings, by contrast, require that proceedings be conducted in a courtroom before a judge, with an assistant state attorney prosecuting the case, and generally an appointed public defender representing the offender.



Commissioner Wyant, Chairman Coonrod, and Commissioner Davison (pictured left to right)

The Governor and members of the Cabinet sit as the Board of Executive Clemency and set forth the Rules of Executive Clemency. The Commission operates as the administrative and investigative arm of the Board. Clemency is a constitutionally authorized process. The forms of clemency include full pardon; pardon without firearm authority; pardon for misdemeanor; commutation of sentence; remission of fines and forfeitures; specific authority to own, possess, or use firearms; restoration of civil rights; and capital case (death penalty) reviews.

In Florida, when a person is convicted of a felony, they lose the right to vote, serve on a jury, hold public office, and possess a firearm. Administered by the Commission, the clemency process provides the means through which an offender may have some or all of their rights restored.

Commission Quick Facts

- Functions as a quasi-judicial and decision-making body.
- Responsible for the careful selection of candidates who are appropriate for parole.
- Holds weekly hearings, including hearings held throughout the state, to encourage participation by victims, victims' families, and inmates' families who would otherwise not be able to attend.
- Administers parole, conditional medical release, control release, conditional release, and addiction recovery supervision.
- Acts as the administrative and investigative arm of the Governor and Cabinet who sit as the Board of Executive Clemency.

Parole

The Commission administers parole (chapters 947, 948, and 949, Florida Statutes), a discretionary prison release, which allows an inmate who has been granted parole to serve the remainder of his or her prison sentence outside of the confines of the institution. Once released, the parolee is subject to strict conditions of supervision set by the Commission. The Commission monitors the parolee's progress through supervision reviews and conducts revocation hearings when an alleged violation of supervision is reported. If a parolee is found to have willfully and substantially violated a condition of his or her supervision, the Commission may return the parolee to prison.

The following offenses are eligible for parole:

1. Any felony committed prior to October 1, 1983, or those who elected to be sentenced "outside the guidelines" for felonies committed prior to July 1, 1984;
2. All capital felonies committed prior to October 1, 1995, except:
 - a.) murder or felony murder committed after May 25, 1994;
 - b.) making, possessing, throwing, placing, or discharging a destructive device or attempt to do so which results in the death of another person after May 25, 1994;
 - c.) first degree murder of a law enforcement officer, correctional officer, state attorney, or assistant state attorney committed after January 1, 1990; and
 - d.) first degree murder of a justice or judge committed after October 1, 1990.
3. Any continuing criminal enterprise committed before June 17, 1993; and
4. Any attempted murder of a law enforcement officer committed between October 1, 1988, and October 1, 1995.

On June 30, 2022, there were 3,661 inmates who were eligible for parole and 374 parolees on parole supervision. In FY 2021–22, the Commission made 1,013 parole determinations and granted parole to 27 inmates.

Conditional Medical Release

In 1992, the Legislature created the conditional medical release program (section 947.149, Florida Statutes), a discretionary release that allows the Commission to release inmates on supervision who are "terminally ill" or "permanently incapacitated," and who are not a danger to themselves or others. The Department is charged with the responsibility of recommending to the Commission cases to be considered for conditional medical release. Upon release, the releasee is subject to conditions of supervision set by the Commission. The Commission monitors

the releasee's progress through periodic medical reviews and conducts revocation proceedings when an alleged violation of supervision is reported. This supervision can be revoked, and the releasee returned to prison if the Commission determines that a willful and substantial violation has occurred. The Commission also has the authority to return the releasee to custody if his or her medical or physical condition improves. The Department has recommended 209 inmates for conditional medical release in the past three fiscal years. The Commission granted conditional medical release to 107, or 51%, of those recommended by the Department during those three fiscal years. In FY 2021–22, the Commission granted conditional medical release to 26 of 65 inmates, or 40%, of those recommended by the Department for conditional medical release.

Conditional Release

In 1988, the Legislature created the conditional release program (section 947.1405, Florida Statutes) and placed it under the administration of the Commission. This program is a non-discretionary release program and requires mandatory post prison supervision for inmates who are sentenced for certain violent crimes and who have served a prior felony commitment at a state or federal correctional institution, or who are sentenced as habitual offenders, violent habitual offenders, violent career criminals, or designated sexual predators.

Inmates who are subject to conditional release and have completed the incarceration portion of their sentence are supervised by the Department for the remainder of their sentence, which includes time equal to the amount of gain time earned while in prison. These releasees are subject to strict conditions of supervision set by the Commission. The Commission monitors their progress through supervision reviews and conducts revocation hearings when an alleged violation of supervision is reported. If a conditional releasee is found to have willfully and substantially violated a condition of supervision, the Commission may return the releasee to prison. On June 30, 2022, there were 2,693 releasees on conditional release supervision, and in FY 2021–22, the Commission set terms and conditions for 4,714 releasees.

Addiction Recovery

The Legislature created the addiction recovery supervision program (section 944.7431, Florida Statutes) in 2001 and placed it under the Commission's administration. This program is a non-discretionary release program that requires mandatory post prison supervision for inmates who are released from a state correctional facility for a crime committed on or after July 1, 2001, have a history of substance abuse or addiction or have participated in any drug treatment, and have not been convicted of a disqualifying offense. Inmates who are subject to addiction recovery supervision and have completed the incarceration portion of their sentence are supervised by the De-

partment for the remainder of their sentence, which includes time equal to the amount of gain time earned while in prison. Upon release, the releasee is subject to strict conditions of supervision set by the Commission. The Commission monitors the releasee’s progress and conducts revocation hearings when an alleged violation of supervision is reported. If the Commission finds the releasee willfully and substantially violated a condition of supervision, the Commission may return the releasee to prison. During FY 2021–22, 626 inmates were released to addiction recovery supervision. As of June 30, 2022, there were 144 offenders on addiction recovery supervision.

Control Release

The Florida Legislature created the control release authority (section 947.146, Florida Statutes) in 1989 with the members of the Commission acting as the release authority. When active, control release is utilized as a prison population management tool to keep it at less than 99% of the total capacity. Currently, control release is not activated so the Commission is not reviewing the inmate population for discretionary release under this authority. Today, a small number of control releasees remain under supervision. The Commission monitors their progress through supervision reviews and conducts revocation hearings when an alleged violation of supervision is reported. If the Commission finds the releasee willfully and substantially violated a condition of his or her supervision, the Commission may return the releasee to prison.

Clemency

The Governor and members of the Cabinet sit as the Board of Executive Clemency (Board) and set forth the Rules of Executive Clemency. The Commission operates as the administrative and investigative arm of the Board. Clemency is a constitutionally authorized process. The forms of clemency include full pardon; pardon without firearm authority; pardon for misdemeanor; commutation of sentence; remission of fines and forfeitures; specific authority to own, possess, or use firearms; restoration of civil rights; and capital case (death penalty) reviews.

In Florida, when a person is convicted of a felony, they lose the right to vote, serve on a jury, hold public office, and possess a firearm. Administered by the Commission, the clemency process provides the means through which an individual may have some or all of their rights restored.

Individuals seeking any form of clemency must submit an application and the required court documents to the Office of Executive Clemency (OEC). Detailed information is available online at www.fcor.state.fl.us.

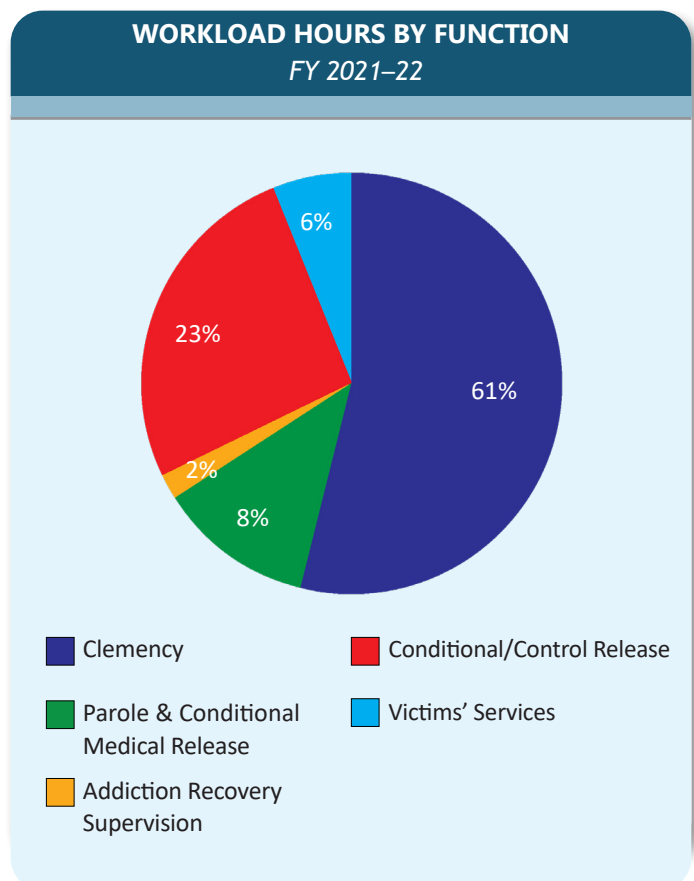
Victims’ Services

Victims’ Services provides direct, personal service to crime victims and their families through the parole, conditional medical release, control release, conditional release, addiction

recovery supervision, and clemency processes. Staff strive to reduce victimization through education within an environment of compassion, dignity, and respect. The section is proactive in educating victims and informing them of their rights. Central Office, in coordination with Field Services, attempt to locate victims to inform them of their right to be present, informed, and heard in parole, conditional medical release, control release, and clemency processes.

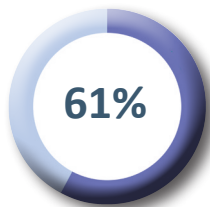
Victim input is important at every stage of the clemency, parole, and conditional medical release process and is crucial to informed decision making. Victim participation can impact a variety of decisions, including clemency and conditional medical release. Restitution, special conditions of supervision, and treatment programs for the parolee or releasee are also impacted. If a victim chooses not to participate in this process, they may still request to be notified and informed of upcoming proceedings and the Commission’s or the Board’s actions in these proceedings. Victims make the decision as to what extent they wish to participate in the process.

Staff offers assistance to victims and their families by responding to their emotional needs, providing the necessary support and resources available to help stabilize their lives after victimization, and providing information on the criminal justice system and its operations. This section is proactive in seeking ways to broaden the services that are available to victims.

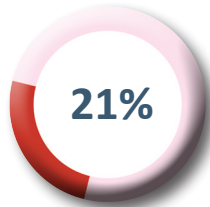


YEAR IN SUMMARY STATISTICS

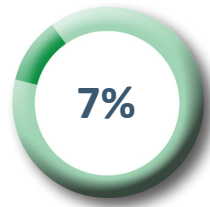
WORKLOAD HOURS BY BUDGET ACTIVITY



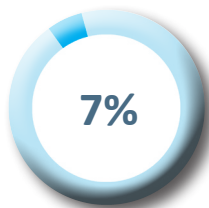
Clemency



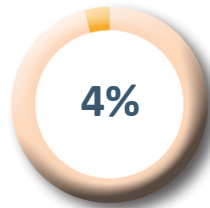
Revocations



Parole & Conditional Medical Release



Victims' Services



Conditional/Control Release & Addiction Recovery Supervision

ACTIVITY	HOURS
Clemency	133,305
Revocations	46,066
Parole & Conditional Medical Release	14,948
Victims' Services	14,485
Conditional/Control Release & Addiction Recovery	9,782
TOTAL FY 2021-22	218,586

Clemency Services

- 4,366 clemency applications were received in FY 21-22.
- 9,163 clemency cases were completed in FY 21-22.

Conditional Medical Release (CMR)

- 65 inmates were referred for CMR in FY 21-22.
- 26 inmates were granted CMR in FY 21-22.

Offender Revocations

- 1,238 revocation determinations were made in FY 21-22.
- 99.7% of revocation determinations were completed within 90 days of final hearing.
- 1,554 warrants (excluding amended warrants) were issued in FY 21-22.

Victims' Services

- 29,904 assists to victims were provided in FY 21-22.

Parole

- 1,013 parole determinations were made in FY 21-22.
- 3,661 inmates were eligible for parole release on June 30, 2022.
- 374 inmates were under parole supervision on June 30, 2022.
- 27 inmates were granted parole in FY 21-22.
- 28 inmates were released on parole in FY 21-22.

Conditional Release

- 4,714 inmates were placed on conditional release supervision during FY 21-22.
- 2,693 inmates were under conditional release supervision on June 30, 2022.

Addiction Recovery Supervision

- 537 inmates were placed on addiction recovery supervision during FY 21-22.
- 144 inmates were under addiction recovery supervision on June 30, 2022.

FINANCIAL DISCLOSURE

BUDGET CATEGORY	APPROPRIATED BUDGET	ACTUAL EXPENDITURES AS OF JUNE 30, 2022	BALANCE AS OF JUNE 30, 2022
Salaries (GR)	\$8,839,482	\$8,489,911	\$349,571
OPS	\$1,293,363	\$1,199,919	\$93,444
Expense	\$877,800	\$875,367	\$2,433
OCO	\$16,771	\$0	\$16,771
Contracted Services	\$263,525	\$85,852	\$177,673
Risk/Insurance	\$87,799	\$87,799	\$0
Lease/Purchase Equipment	\$25,000	\$24,999	\$1.00
Human Resources	\$48,145	\$48,145	\$0
Data Processing - DC	\$896,714	\$896,714	\$0
Total	<u>\$12,345,599</u>	<u>\$11,727,263</u>	<u>\$618,336</u>

PERFORMANCE MEASURES

26

Parolees successfully completed their supervision without revocation within the first three years.

1,088

Number of parole and conditional medical release determinations.**

1,238

Number of revocation determinations.

29,904

Number of victim assists.

9,163

Number of clemency cases completed.

6,436

Number of conditional release/addiction recovery decisions**

96.3% Of parolees have successfully completed their supervision without revocation within the first three years of release.

99.9% Of cases placed before the Commission/Clemency Board contained no factual errors.

99.7% Of revocation cases were completed within 90 days of final hearing.

** Number includes re-docketed cases.

DIVISION OF OPERATIONS

The Division of Operations is the largest unit of the Commission and is comprised of four sections: Revocations, Victims' Services, Office of the Commission Clerk, and Field Services. Twelve field offices are divided among five regional areas across the state with each region staffed by an administrator who directs the day-to-day activities of the professionals and support staff assigned to offices located within the region.

Operations is responsible for multiple functions in the administration of post prison supervisory release programs. These supervised release programs include parole, conditional medical release, control release, conditional release, and addiction recovery supervision. Through Field Services staff, Operations conducts parole interviews, administrative hearings for alleged violations of supervision, as well as clemency investigations for the Board of Executive Clemency.

Operations Accomplishments: FY 2021–22

The Commission resumed in-person hearings in September 2021 and continued to allow telephonic testimony at these hearings.

The Commission held out-of-town meetings in Duval County in September 2021, Manatee County in January 2022, and Lake County in April 2022.

The director of field services provided assistance to the general counsel and the Office of the Attorney General on issues relating to the ongoing class-action juvenile parole lawsuit.

The director of central office operations and the director's operations analyst assisted with the audit conducted by the Department of Corrections auditors to ensure the agency was following the terms of its agreement with the Department of Highway Safety and Motor Vehicles (DHSMV) for the use of the Driver and Vehicle Information Database (DAVID).

Office of the Commission Clerk

The Office of the Commission Clerk (OCC) receives thousands of cases each year that staff prepare and process for the Commission's review and action. They include conditional release interviews, parole interviews, parole release plan investigations, addiction recovery supervision interviews, conditional medical release investigations and recommendations, supervision reviews, requests for modifications of the conditions of supervision, eligibility reviews, and special requests from the Department.

Office of the Commission Clerk Accomplishments: FY 2021–22

During the fiscal year, the Office of the Commission Clerk (OCC) continued to provide precise and timely work products while also responding to public inquiries regarding the parole and conditional medical release processes. OCC continued the quality assurance process put in place for conditional release and addiction recovery cases.

All staff continued to work a flexible work schedule or telework through September, due to the COVID-19 pandemic.

OCC Staff participated in a group project responsible for rewriting

the Commission Management System (CMS) and creating a new database to include, but that is not limited to, tracking statistics and creating reports.

The number of cases docketed in FY 2021–22 included:*

- Parole: 903
- Conditional medical release: 149
- Conditional release: 5,801
- Addiction recovery supervision: 635
- Control release: 0

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

Revocations

Revocations reviews all violation reports, prepares arrest warrants, updates the National Crime Information Center/Florida Crime Information Center (NCIC/FCIC) databases, responds to requests from law enforcement agencies, coordinates the extradition of violators, and performs functions relating to the docketing and processing of cases for Commission action involving review of supervision and violations of supervision.

Revocations Accomplishments: FY 2021–22

During this fiscal year, staff focused on providing an accurate and efficient work product to ensure public safety, which is one of our paramount goals. Special emphasis was placed on quality assurance checks as workflow was restructured to comply with returning from telecommuting during COVID-19. A new report was created to ensure deadlines were met in all cases. In addition, training is continual for Revocation staff on an individual and team level to improve skills and foster team building.

The Revocations unit staff participated in two audits during this fiscal year. The first audit was conducted in January by the Florida Department of Law Enforcement, followed by the FBI in February. The investigations consisted of the processing of warrants.

- Warrants issued: 1,558
- Cases reviewed and prepared for docket: 1,245*

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

Victims' Services

Victim assistance is a key tenet of the Commission's mission and is considered vitally important. Article I, Section 16(b) of Florida's Constitution, and sections 947.06 and 960.001, Florida Statutes, address the need to protect the rights of victims of crime and the need for victims' input in the criminal justice process.

Victims' Services provides direct, personal assistance to crime victims and their families, ensuring their opportunity to participate in the parole, conditional medical release, control release, conditional release, addiction recovery supervision, and clemency processes.

Victims' Services Accomplishments: FY 2021–22

During this fiscal year, Victims' Services staff continuously focused on conducting case reviews to ensure victim searches have been conducted and all documents in the paper files were scanned into the Commission Management System (CMS) and imported into On-Base. Staff purged files of offenders who are deceased or have expired their sentences.

Local colleges allowed in-person internships to resume, and interns were hired to work with victims. Interns assisted with notifying victims of the outcome of Commission and clemency meetings. The Victims' Services staff continues to work diligently to provide interview/rationale recommendations to all victims, state attorneys, and law enforcement prior to the commission meetings. A Victims' Services brochure is mailed to victims for the initial cases to better educate them on the parole and clemency processes. Also, the Victims' Services staff continues to contact victims to advise them of the decision that was made at the commission meeting. This effort continues to increase the level of service provided to the victims served, increase victim participation, and increase victim satisfaction.

Victims' Services staff helped conduct quality assurance on the agency's scanned files. This project alleviated a large volume of paper files.

The coordination of Commissioner briefings prior to the Commission meetings have been beneficial to keep the Commissioners informed of any victims, state attorney, or law enforcement officers who will attend the Commission meetings, and any letters that will be read on behalf of the victims.

The Victims' Services staff continues to work diligently to search for victims and notify them of clemency meetings. The staff ensured that confidential victim memorandums were

provided in a timely manner, despite the process changes during COVID-19.

Victims' Services staff continually conduct file reviews. All attempts through the CLEAR and DAVID databases are utilized to locate victims in cases where we have not previously been able to locate them. During the review, we request victim information from the state attorney offices on cases where we have no victim information. We have received more cooperation because of our relationship with the state attorneys and law enforcement agencies.

Victims' Services staff continues to scan parole supervision review case information in CMS and purge the paper files. OCC staff participated in a group project responsible for rewriting CMS and creating a new database to include, but that is not limited to, tracking statistics and creating reports.

- Requests for information by victims: 3,046*
- Status updates provided to victims: 11,424*
- Victims located: 597*

**Includes parole, conditional medical release, clemency, and conditional release cases.*

Field Services

Field Services is responsible for performing a variety of functions, including acting as hearing officers when conducting revocation hearings.

Regarding the parole release process, Field Services Investigators conduct inmate interviews at the correctional facilities, perform investigations, and make recommendations regarding the establishment of a presumptive parole release date (PPRD) for parole eligible inmates.

Duties also include making recommendations regarding changes to an inmate's PPRD and whether to release on parole, conducting investigations for parole and conditional medical release plans, and locating victims or relatives of victims. Clemency-related duties include conducting full investigations for the Board of Executive Clemency.

Field Services Statewide Activity Totals: FY 2021–22

- Parole interviews: 659
- Revocation interviews: 1,836
- Revocation hearings: 405
- Total interviews and hearings: 2,900

DIVISION OF ADMINISTRATION

The Division of Administration serves as a liaison to the Governor's Office of Planning and Budgeting, the Office of Program Policy Analysis and Government Accountability, the Auditor General, the Florida Legislature, the Department of Financial Services (DFS), the Department of Management Services (DMS), and the Department of Corrections' (DOC) Information Technology section. The Division 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. This Division has fiscal responsibility for the agency, including preparation of the agency's Legislative Budget Request, management of the Commission's operating budget, the Long Range Program Plan, and purchasing of all commodities and services for the agency. Additionally, the division is responsible for preparing data, statistics, and financial information.

Administration Accomplishments: FY 2021–22

The Division of Administration submitted 421 requisitions, approved 382 purchase requests, processed 1,678 invoices, made 90 business deliveries, completed 123 work orders, addressed 48 maintenance issues, completed 500 HR actions in People First, submitted 241 security access requests, processed 300 Travel requests and 701 vouchers. The Department of Financial Services reported that Administration achieved 98.45–100% compliance.

Administration assisted with drafting and submitting the Legislative Budget Request (LBR), capital improvements, legislative proposals, the Long Range Program Plan, and bill analyses. Administration also coordinated the response to LBR IT requests, provided language and budget numbers for the annual report, submitted the minimum wage compression Plan, and completed the minimum wage pay increase and inflation pay increase mass load.

The division completed the attractive property inventory audit, Pcard 6-month audit, tangible property audit, wireless device audit, master key control audit, gold shield/badge audit, and the Capitol badge audit, and assisted with the FDLE NCIC/FCIC audit and the DHSMV DAVID audit.

Administration coordinated and managed the IT Commission Management System (CMS) database project; and completed

the CMS User Manual, business system report documents, business system architecture report documents, charter documents, project management plan documents, transition documents, and extended contract.

The division submitted the schedule of expenditures federal awards reconciliation, revenue cap for fiscal year end report; building data and state facilities operating cost report; Commission tax exemption certificate; CEFP Report; property values worksheet; delinquent account report; crime insurance report; recycling project; active trust fund verification; schedule IV agency level unit cost summary; property insurance survey; FL Palm Survey; budget amendments; form 1834; lapse and fund split response; SAM registration; FL palm communication logs; form 1099; agency lease inventory overview spreadsheet; agency representation letters; casualty account design survey; eGrants access verification; exposure base inquiry survey; FEMA withdrawal form; FL single audit act (CSFA Certification); Form FM 4106; numbers for crime insurance, P1, P2, P3, P4, P5, & P7 forms; property values; recycling project; reporting requirements review; agency owned and leased portfolio; management plan; GASB 87 operating leases; UEID to Florida PA; UMC report on users; payroll compliance checklist to the chief financial officer; perquisite report; veterans' recruitment report; affirmative action report; savings sharing program report; training report; TRIRIGA user roles report; business meeting report; workers comp survey; and IT security letter.

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.

General Counsel Accomplishments: FY 2021–22

The Office of the General Counsel was actively involved in litigation during FY 2021–22 in both state and federal court, opening 217 new cases of all types.

Office of the General Counsel staff filed 263 court pleadings, including motions, responses, and briefs, in response to challenges made against the Commission's authority and Commission decisions.

The Public Records Unit, housed in the Office of the General Counsel, responded to 569 public records requests.

Additionally, the Office of the General Counsel provided hundreds of legal opinions to the Commissioners, Central Office staff, and staff within the five regional offices.

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. This office interacts with all members and staff of the Florida Legislature; the Office of Program Policy Analysis and Government Accountability, and the appropriate Joint Legislative Committees; the Governor's Office of Policy and Budget; the Governor's Office of Legislative Affairs; and the legislative affairs directors of all state agencies, particularly those in the areas of law enforcement and criminal justice.

Legislative Affairs Accomplishments: FY 2021–22

The Office of Legislative Affairs provided information regarding the Commission and the Office of Executive Clemency functions to the Governor's Office of Policy and Budget, members of the Florida Senate, House of Representatives, and legislative committee staff members.

Senator Keith Perry and State Representative Sam Killebrew sponsored the Commission's bill (SB-454), which increased the compensation of retired or former Commissioners from \$100 to \$200 a day, when those Commissioners were requested and agreed to serve. SB-454 passed both chambers and was signed into law by the Governor on May 12, 2022.

The Commission maintained its base funding, and the total Commission budget appropriated by the legislature for FY 2022–2023 is \$12,299,840.

In addition to maintaining the Commission's base funding, the legislature and Governor also approved the following:

- The Governor's Freedom First Budget recommended that the base salaries of sitting Commissioners increased from \$95,506 to \$125,000, and the Chairman's salary increased an additional \$10,000 to \$135,000; the legislature passed this raise.
- House and Senate leaders converted OPS Commission Investigator employee funding to 14 full-time equivalent (FTE) positions, increasing the Commission from 132 to 146 total FTEs.
- \$130,081 was appropriated for Commission litigation expenses.

OFFICE OF COMMUNICATIONS

The Office of Communications is charged with overseeing the agency's internal and external communications and public information programs, with the director acting as the agency's chief spokesperson. This office responds to daily inquiries from local, state, and national media organizations, as well as to public information and public records requests. It is also responsible for the production of all publications and informational materials disseminated to legislators, media, and key stakeholders throughout the state and nation.

Communications Accomplishments: FY 2021–22

The Office of Communications provided public relations and communication services to the Commission through media relations; the creation, dissemination, and management of agency reports and written materials; and through the design and review of Commission documents.

Specifically, the Office of Communications designed and produced Commission publications and reports, including the Long Range Program Plan (LRPP), the annual report, monthly reports, and quarterly staff newsletters. The communications director acted as the final editor for all publications released by the Commission.

The Office of Communications managed media relations and responded to inquiries related to Board of Executive Clemency meetings and weekly Commission meetings. This office also distributed press releases related to Commission activities and responded to daily inquiries and public records requests from local, state, and national media.

Communications composed communications for the 2022

National Crime Victims' Rights Week (NCVRW) and coordinated printed materials and events. This office participated in mandatory online training (diversity training, sexual harassment awareness code of ethics, and Americans with Disabilities Act) and attended regular meetings related to Commission business and senior management planning.

Communications also prepared presentations and speaking points for internal and external events, including the Chairman's Florida Council on Crime and Delinquency (FCCD) presentation, the Commission business meeting, and the annual staff awards ceremony. This office also maintained the Commission's external and internal websites, including regular updates, ongoing audits, and graphic and content edits.

Finally, this office supported Commission staff as needed by creating, proofing, editing, and updating materials, including but not limited to, reports and materials for The Office of Executive Clemency, Clemency Investigations, The Office of Administration, and Legislative Affairs.

The Office of Executive Clemency (OEC) reports directly to the Governor and Cabinet who sit as the Board of Executive Clemency in the performance of their duties and responsibilities. This office is co-located with the Commission for ease of operation and coordination of functions. OEC was created in 1975 to process applications for executive clemency requiring approval of the Governor and requisite members of the Cabinet. The coordinator is appointed by the Governor and Cabinet and is responsible for coordinating clemency meetings, referring applications for investigation, and serving as the official custodian of clemency records.

Office of Executive Clemency Accomplishments: FY 2021–22

During the March 10, 2021, clemency meeting, the Board of Executive Clemency (Board) revised the Rules of Executive Clemency (Rules). Rule revisions provide an avenue for felons who have completed all terms of sentence under Amendment 4 to apply for restoration of their full civil rights without a hearing. Waiting periods before applying for restoration of civil rights were omitted. The streamlining of cases presented to the Clemency Board was established through the implementation of a preliminary review list process. The executive clemency coordinator (coordinator) worked closely with the Office of the Governor, the Board members, and the director of clemency investigations to evaluate and assess the outcomes of said revisions. Internal clemency processes were continually revised and adjusted to improve workflow, responses were developed to meet the needs and strategic goals of the Board, and attention was focused on arising issues.

The Office of Executive Clemency created resource materials and conducted training about implementing new workflow processes that were developed for accepting clemency applications, maintaining pending applications, presenting cases to the Board for consideration through preliminary review lists, and responding to additional requests from the Board and the Office of the Governor. This office also revised material for the public website.

The office processed clemency requests for restoration of civil rights (RCR), full pardons, pardons without firearm authority; pardons for misdemeanors; specific authority to own, possess or use firearms; remission of fines and forfeitures; capital case reviews as well as requests for review regarding commutation of sentence. Staff captured and documented in the clemency database the movement of cases, determinations, and actions by the Board. Preliminary review lists were provided to the Board monthly. Submission of additional cases requested by the Office of the Governor were provided routinely. The coordinator worked closely with the Office of the Governor on all inquiries and referrals regarding capital punishment reviews. In FY 2021–2022, OEC received a total of 4,366 applications for all forms of clemency. A total of 9,163 requests for clemency were completed.

The office received, tracked, and responded to correspondence and calls received by the Governor’s Office of Citizen Services regarding the clemency process, as well as emails received daily

at the clemency web email address. The clemency coordinator is the official custodian of all current and historical clemency records. Requests for clemency records were researched and processed through this office and, as required by Rule, require authorization from the Office of the Governor prior to release. OEC provided specific research, assistance, and historical information to the clemency aides as well as internal and external requestors upon request.

Office staff responded to questions and assisted applicants in completing their requests for clemency. Clemency’s toll-free information number received 16,438 calls in FY 2021–2022. This number does not include calls made directly to the posted (850) 488-2952 number.

The office provided verification and documentation for the various forms of clemency requested by law enforcement agencies, state attorneys, public defenders, licensing agencies, and supervisors of elections. During FY 2021–2022, office staff prepared 4,627 official “Gold Seal” letters for inquiring criminal justice agencies.

The Clemency Board held meetings on September 22, 2021, and March 30, 2022. OEC is responsible for coordinating the meetings at the Capitol and providing support to the Board. The office notified applicants and tracked the anticipated attendance of all applicants placed on the agendas, prepared the clemency agendas for dissemination to appropriate parties, and kept the clemency aides advised throughout the process. The coordinator led the clemency meetings and subsequently notified the applicants of the Board’s final decision.

For all forms of clemency granted through a preliminary review list or being presented on a clemency agenda, executive orders were prepared for signature by the Board and then filed with the Secretary of State. Restoration of Civil Rights certificates were generated for those granted. Notification and a copy of the executive order or certificate were provided to applicants. OEC participated in group meetings with Department of Corrections IT members and Commission staff on the ongoing development of an upgrade to the clemency database, including the business requirements, user roles, forms/letters, reporting capabilities, data integrity, user testing, and other issues.

The Office of Clemency Investigations is charged with investigating, reviewing, evaluating, and reporting to the Board of Executive Clemency in all types of clemency cases including, but not limited to, the restoration of civil rights, full pardons, firearm authority, commutation of sentence, remission of fines, and capital punishment cases. Clemency Investigations provides training, resource materials, and support to Field Services staff in all clemency matters.

General Clemency Investigations

Clemency Investigations provides daily investigative and research support to the Board of Executive Clemency (Board). Field Services staff, along with this office, conducts confidential investigations on all applications that are referred to the Commission for investigation. This office also conducts quality assurance reviews on each of these investigations and all eligible cases are presented to the Board.

The office conducts investigations on all Requests for Review for Commutation of Sentence applications and some Restoration of Civil Rights applications, provides customer service to clemency applicants, and conducts clemency data research and analysis for internal and external requests.

The type of clemency investigation primarily depends on the form of clemency being sought. The Rules of Executive Clemency (Rules) provide detailed information regarding eligibility criteria. The depth and scope of each investigation vary by type, and some types have different waiting periods after the completion of a sentence. The Commission conducts comprehensive, confidential investigations for applicants, utilizing records, and databases of state and federal courts, and multiple criminal justice agencies. These detailed investigations provide a broad picture of the applicant's history and activities, which assist the Board in making informed decisions. Victim, state attorney, and judicial input are obtained. This office conducts quality assurance reviews on investigations and obtains the Commission's advisory recommendation for submission to the Board. The referral, assignment, and approval of all cases are generated and managed through the clemency database.

Capital Punishment Case Investigations

In capital punishment cases, by Rule, the Governor may direct the Commission to conduct an in-depth investigation. Clemency Investigations is responsible for coordinating the clemency interview of the death row inmate conducted by the Commission. Investigators research the case history, including offense(s) of conviction, complete criminal record, institutional record, social and psychological information, co-defendant information, and trial and appellate court information. This office is the point of contact for clemency counsel and acts as a liaison between counsel and the Department of Corrections. The office coordinates with Field Services staff to conduct an investigation on the inmate and conduct interviews, if possible, with the trial attorneys who prosecuted and defended the inmate, the presiding judge, and the inmate's family. In addition, the office coordinates with the Office of the Attorney General to allow

victims of record to provide any comments to be included in the final report to the Board. Clemency Investigations compiles this information together with the Commission's findings and conclusions and provides it to the Board to assist in the consideration of a commutation of death sentence to life.

Office of Clemency Investigations Accomplishments: FY 2021–22

The Office of Clemency Investigations conducted quality assurance investigations on all cases presented at the quarterly Board Meetings and on all cases placed on monthly preliminary review lists; researched, investigated, and prepared hundreds of Request for Review for Commutation of Sentence reports submitted to the Commissioners for advisory recommendations and then to the Board for decisions; revised several training manuals and documents related to conducting eligibility reviews and investigations; provided bi-monthly teleconference training to field offices; provided ad hoc investigation, research, assistance and other information to the clemency aides upon specific requests; scanned historical clemency records; and provided all clemency data research and analysis for agency reports, public records requests, and various ad hoc reports.

Clemency Investigations worked closely with the Office of Executive Clemency, Field Services, and the Department of Corrections' Office of Information Technology staff to develop and implement upgrades to the clemency database which went into production in December 2021. Staff participated in work groups and assisted in the creation of documents related to business requirements, workflow, user roles, forms, letters, reporting capabilities, user access, data integrity, audit trails, module demonstrations, testing, and training.

Clemency Investigations implemented revisions to the Rules of Executive Clemency adopted by the Board on March 10, 2021. This office developed new resource materials and conducted training with staff for implementing new workflow processes related to conducting eligibility reviews, investigations, and procedures for submitting cases to the Board. Investigators reviewed pending applications for all types of clemency for eligibility under the criteria of the revised rules.

Clemency Investigations' Record Management Liaison Officer maintained oversight of the internal records database for the Commission and specifically the Office of Executive Clemency and the Office of Clemency Investigations ensuring accurate maintenance, storage, and disposal of hard file and electronic records.

CONTACT INFORMATION

General Information

Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, FL 32399-2450
www.fcor.state.fl.us

For general inquiries about the Commission:
publicaffairs@fcor.state.fl.us (850) 922-0000

Clemency

For information regarding clemency applications for restoration of civil rights; full pardons; remission of fines; commutation of sentence; and specific authority to own, possess, or use firearms, call toll-free (800) 435-8286, or visit www.fcor.state.fl.us.

Victims' Services

For notification of inmate hearings and release information, contact Victims' Services toll-free (855) 850-8196 or email victimquestions@fcor.state.fl.us.

Inmate Supporters

For information regarding an inmate's parole, conditional medical release, control release, conditional release, or addiction recovery supervision or for information about attending a Commission meeting, call toll-free (800) 335-3396. To submit a statement of support, email inmatessupporter@fcor.state.fl.us.

Revocations

For information regarding violations of supervision, warrants, or other revocation matters, call (850) 488-0611 or email revocations@fcor.state.fl.us.

Public Affairs

All press inquiries should be directed to the Office of Communications at (850) 921-2816 or publicaffairs@fcor.state.fl.us.

All legislative inquiries should be directed to the Office of Legislative Affairs at (850) 921-2804.

Commissioners

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Richard D. Davison (850) 488-0476
Vice Chairman
David A. Wyant (850) 487-1978
Secretary

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Monika Holden (850) 488-3417
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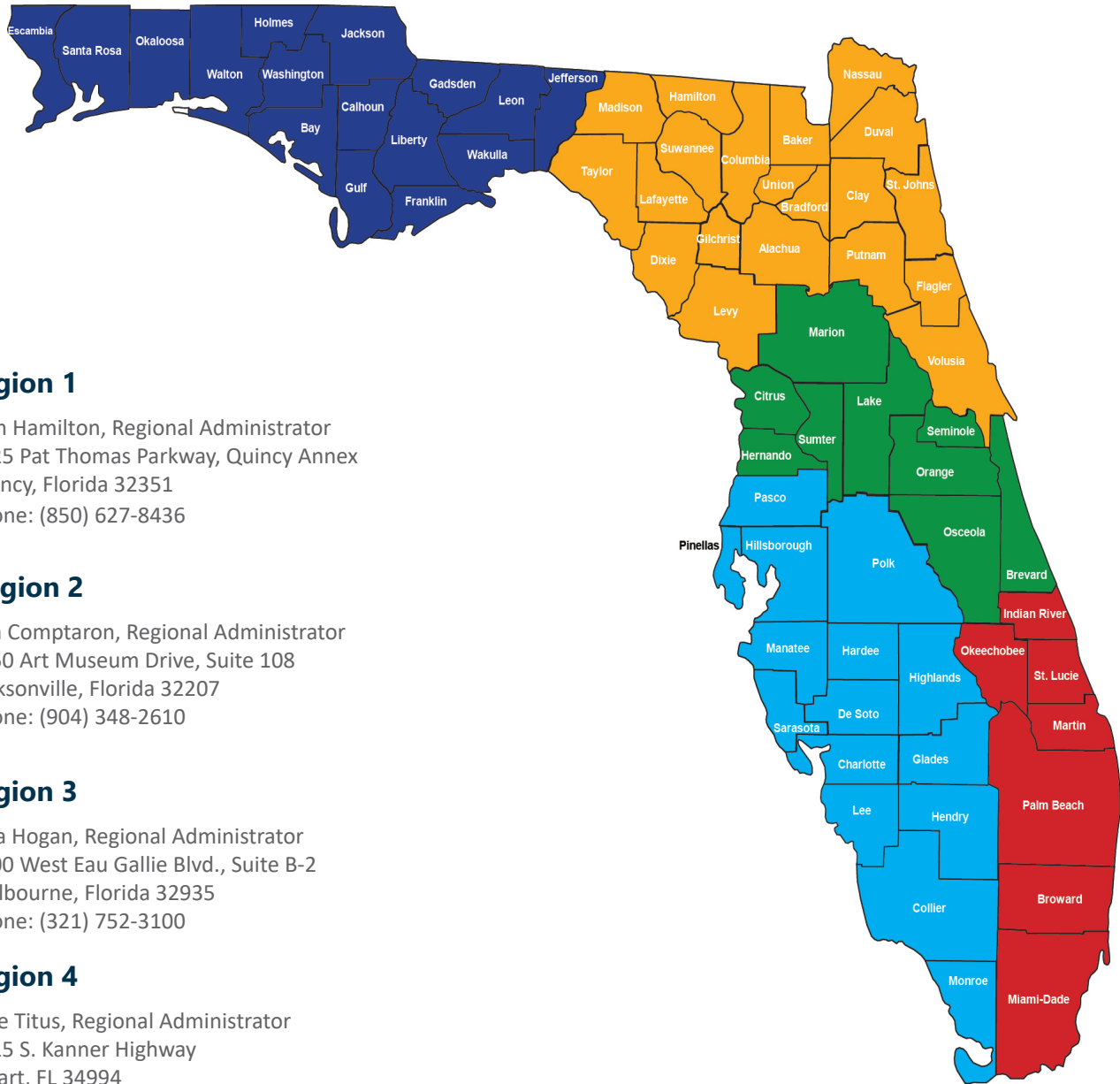
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FIELD SERVICES DIRECTORY



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▶ Region 5

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Field Services

Field Services staff are responsible for carrying out the Commission's duties at a regional level, including conducting administrative hearings for alleged violations of supervision, performing clemency investigations for the Board of Executive Clemency, conducting inmate interviews at the correctional facility and making appropriate recommendations, conducting investigations for parole release plans, and locating victims or the relatives of victims.



FLORIDA COMMISSION ON OFFENDER REVIEW

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