

51st ANNUAL REPORT

134832

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

1990

Permission to reproduce this copyrighted material has been granted by

1991

Florida Parole Commission

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

134832

Florida Parole Commission

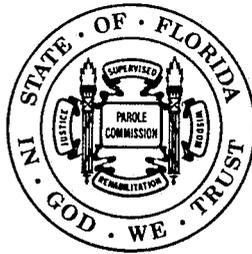


front, left to right:

Robert A. Butterworth, Attorney General;
Lawton Chiles, Governor;
Jim Smith, Secretary of State

back, left to right:

Betty Castor, Commissioner of Education;
Bob Crawford, Commissioner of Agriculture;
Gerald A. Lewis, State Comptroller;
Tom Gallagher, State Treasurer and Insurance Commissioner



A. M. "TONY" FONTANA
COMMISSIONER CHAIRMAN

JUDITH A. WOLSON
COMMISSIONER VICE CHAIRMAN

GENE HODGES
COMMISSIONER SECRETARY

MAURICE CROCKETT
COMMISSIONER

CHARLES H. LAWSON
COMMISSIONER

E. GUY REVELL, Jr.
COMMISSIONER

KENNETH W. SIMMONS
COMMISSIONER

FLORIDA PAROLE COMMISSION

1309 WINEWOOD BOULEVARD, BUILDING 6, THIRD FLOOR, TALLAHASSEE, FLORIDA 32399-2450 • (904) 488-1653

December 31, 1991

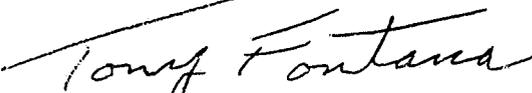
The Governor and
Members of the Cabinet

Dear Governor and Members of the Cabinet:

In accordance with Chapter 947.15, Florida Statutes, I am pleased to present to you the 51st Annual Report of the Florida Parole Commission.

This report details the agency's achievements during FY 1990-91 and provides an overview of the Commission and its role in the criminal justice system.

Sincerely,


Tony Fontana
Chairman

TF:lds

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

HISTORY OF THE COMMISSION

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 in 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 1983 Legislature further provided for "sunset" of the Commission for July 1, 1987, which has been extended to the present statutory date of October 1, 1993.

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 maintain the state's prison system at 97.5% of its lawful capacity. The Control Release Program became effective September 1, 1990. Between November 1, 1990 and June 31, 1991, over 11,000 inmates were released via this program.

Parole is granted after a finding that there is a 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.

A

LOOK

AT

THE

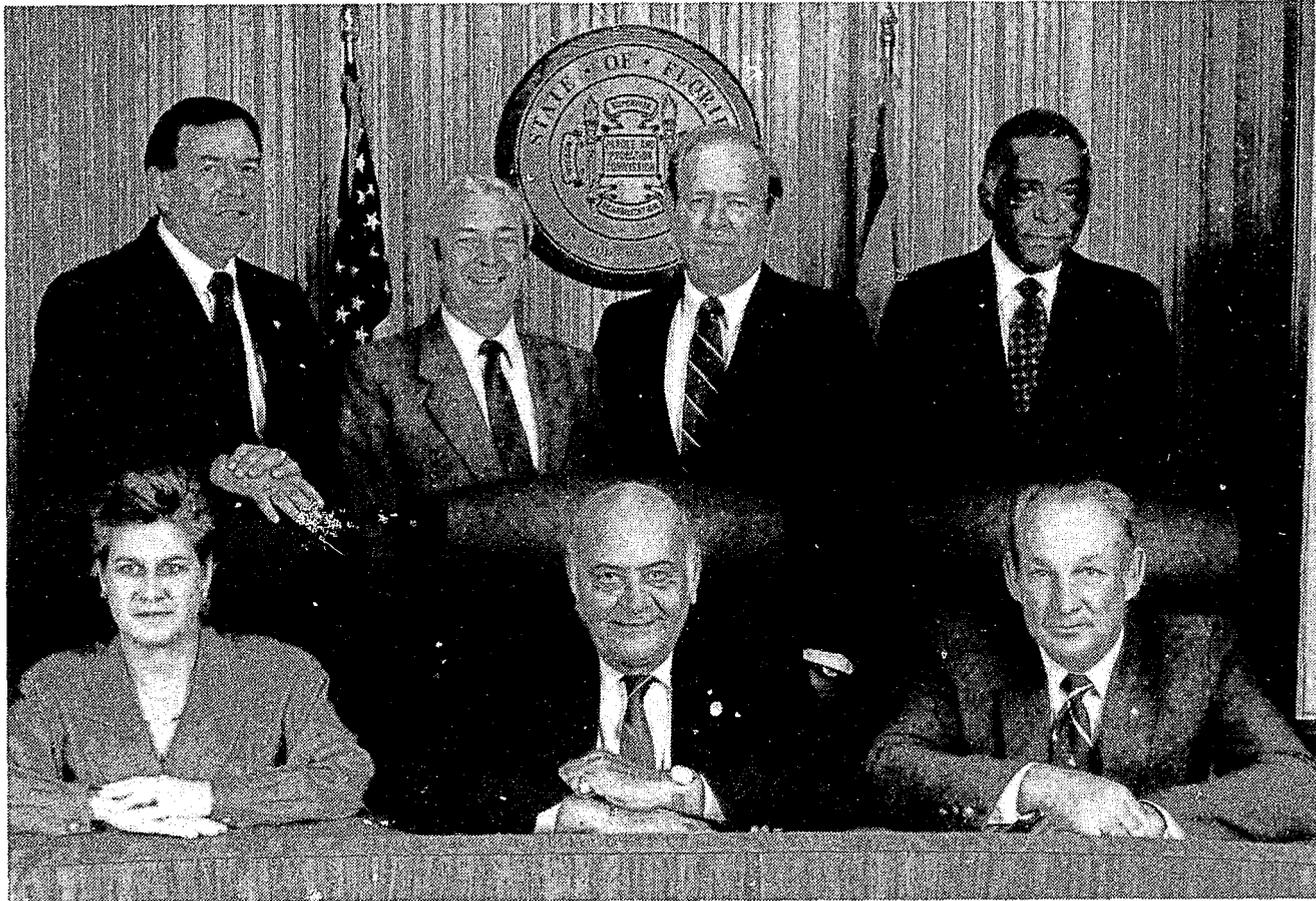
ISSUES

FLORIDA was the first state in the history of the United States to appoint members of the Parole Commission based on merit examination;

FLORIDA was the first state to establish a statewide citizen volunteer program whereby citizens in the community assist parolees and probationers' readjustment to community living.

FLORIDA was one of the first states to establish a unified system of probation and parole; and

FLORIDA has served as a model system in various other aspects of the parole and probation process



Florida Parole Commission

top, left to right:

Kenneth W. Simmons, Commissioner

Charles H. Lawson, Commissioner

E. Guy Revell, Jr., Commissioner

Maurice G. Crockett, Commissioner

seated, left to right:

Judith A. Wolson, Vice-Chairman

A. M. "Tony" Fontana, Chairman

Gene Hodges, Secretary

1309 Winewood Boulevard
Tallahassee, Florida 32399-2450
(904) 488-1653 (Suncom 278-1653)

134832

TABLE OF CONTENTS

NCJRS

MAR 1992

ACQUISITION

INTRODUCTION

Chairman's Message.....	1
Commissioners Vitae.....	2
Commissioners Workload - Year in Review.....	4
Organizational Chart.....	5

DEPARTMENTS - CENTRAL OFFICE

Office of General Counsel.....	6
Director of Administrative Services.....	6
Director of Clemency Administration.....	6
Director of Parole Grant.....	6
Director of Field Services / Revocation.....	6

REGIONAL OFFICES

Region I.....	6
Region II.....	6
Region III.....	7
Region IV.....	7
Region V.....	7

PROGRAMS - YEAR IN REVIEW

Administrative Services.....	8
Clemency Administration.....	10
Parole Grant.....	12
Field Services / Revocation.....	15
Office of General Counsel.....	17

IN RECOGNITION

Superior Accomplishment Awards.....	18
Years of Service.....	19
In Retirement.....	20

LEGISLATION

1990-91 Legislation.....	21
--------------------------	----

FINANCIAL DATA

Statement of Revenues.....	22
Balance Sheet.....	23

IN MEMORIAM.....	24
-------------------------	-----------

Chairman's Message

Fiscal Year 1990-91 was an extremely busy year for the Commission due to the new Control Release Program, which became effective on September 1, 1990.

The first control releases occurred on November 30, 1990 and the last award of provisional credits by the Department of Corrections was required on January 29, 1991. Since then the Commission has been maintaining the prison population within its lawful capacity.

The vast majority of the Commission's funding and staffing has been required for the Control Release Program. Except for the most essential functions, all other duties were put in an "as time permits" status. Thanks to the dedicated effort of all Commission staff, we were able to supplant the provisional release program as intended and see the Control Release Program become fully operational with a minimum of problems.

Over 50% of all those released by control release have terms and conditions of supervision to provide needed public protection. The Commission has issued warrants, held violation hearings and revoked the releases of the most serious offenders. Positions allocated to the warrant revocation function were lost as a result of budget cuts. The reduced staff is now feeling the stress of performing these functions as the supervised control release population continues to grow.

The parole eligible prison population has continued to attrition but there are still over 5,000 parole eligible inmates. Most of these are serving long sentences for the more serious assaultive crimes. Parole review is required by statute in all cases at least every two years and public participation continues to increase in parole matters.

Although the severe budget crisis which the state faces has resulted in critical shortages for the agency, we have met and will continue to meet the challenges presented to us in controlling the prison population and ensuring the safety of the citizens of Florida.

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 houseparent and was serving as Superintendent of the Lancaster Youth Development Center when he was appointed to the Parole and Probation Commission in November 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, 1983 for his outstanding contributions to the Florida criminal justice system. Commissioner Crockett was reappointed to the Commission to serve a six-year term on January 13, 1982 and to a four-year term on July 13, 1988.

A. M. "Tony" Fontana

Commissioner Fontana, who was born in Providence, Rhode Island, attended Williams College and the University of North Carolina. He was a member of the Miami Police Department for twenty-six years, retiring as lieutenant in 1975. Commissioner Fontana was elected from Dade County to the Florida House of Representatives in 1972 and served in that capacity for ten years. During his tenure with the Legislature, he was a member of the Corrections, Probation and Parole Committee, the Criminal Justice Committee and was Chairman of the Subcommittee on Law Enforcement and Drugs. On January 29, 1982, he was appointed to the Commission to serve a six-year term and reappointed in February 1988 to a four-year term. Commissioner Fontana is a member of the American Correctional Association and the Florida Council on Crime and Delinquency. He was elected Vice Chairman of the Commission July 1, 1984 through July 1, 1986, Chairman July 1, 1986 through June 30, 1988, Secretary July 1, 1989 through June 30, 1990 and Chairman July 1, 1990 through June 30, 1992.

Gene 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 and 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 was appointed to a four-year term on the Commission on November 22, 1988 and elected Commission Secretary for the year 1990-91.

Charles H. Lawson

Commissioner Lawson is a native Floridian and a graduate of Florida Southern College with a bachelor's degree in business administration and criminology at Florida State University. He was previously employed with the Commission as Supervisor of the Lakeland Probation and Parole Office from July 1958 until August 1963 and as Interstate Compact Administrator from August 1963 until August 1976. From August 1965 until his appointment to the Commission, he served as the Florida Department of Corrections' Interstate Compact Administrator. He holds the rank of colonel in the U.S. Army Reserve. He is past National President of the Interstate Compact Administrative Association, and is also past treasurer of the Association of Paroling Authorities International. Mr. Lawson is the first recipient of the William Frederick Interstate Compact Administrator Award for outstanding contributions as an interstate compact administrator. He is a member of the American Compact Administrators Association and the Florida Council on Crime and Delinquency. Commissioner Lawson was reappointed to a four-year term on July 1, 1987. He was elected Vice Chairman

of the Commission from July 1, 1988 through June 30, 1990 and is currently serving as a member of the Justice Task Force for the State of Florida.

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 Services, 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 to 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. Naval Intelligence Program. On June 20, 1983, he received an interim appointment as a Commissioner, and on November 17, 1983, was reappointed to a four-year term. Commissioner Revell received a new four-year appointment on March 1, 1988, elected Vice Chairman July 1, 1986 through June 30, 1988 and Chairman July 1, 1988 through June 30, 1990.

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 postgraduate 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 III 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 and 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. He is also a member of the American Correctional Association.

Judith A. Wolson

Born in Glen Cove, New York, 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 Commission in 1969 as a probation and parole officer in South Florida. She attained various positions of management at the field operations level and was then 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 on August 3, 1983, to a two-year term and reappointed to a four-year term on November 19, 1985. She was reappointed to the Commission on October 24, 1989 to a four-year term. She served as Commission Secretary July 1, 1986 through June 30, 1987 and on July 2, 1990, was elected Vice Chairman. She has been an active member of the American Correctional Association, the Florida Council on Crime and Delinquency, and the Southern States Correctional Association. In 1982, she was honored as one of the Outstanding Young Women of America.

YEAR IN REVIEW — COMMISSIONERS

The Commissioners' workload increased dramatically as a result of the new Control Release Program, which became effective September 1, 1990. Hearings were expanded to twice a week to include control release cases. Public participation in parole cases also continued to increase.

Correspondence to Commissioners increased by 350 letters a week and 400 telephone calls a week due to the implementation of control release.

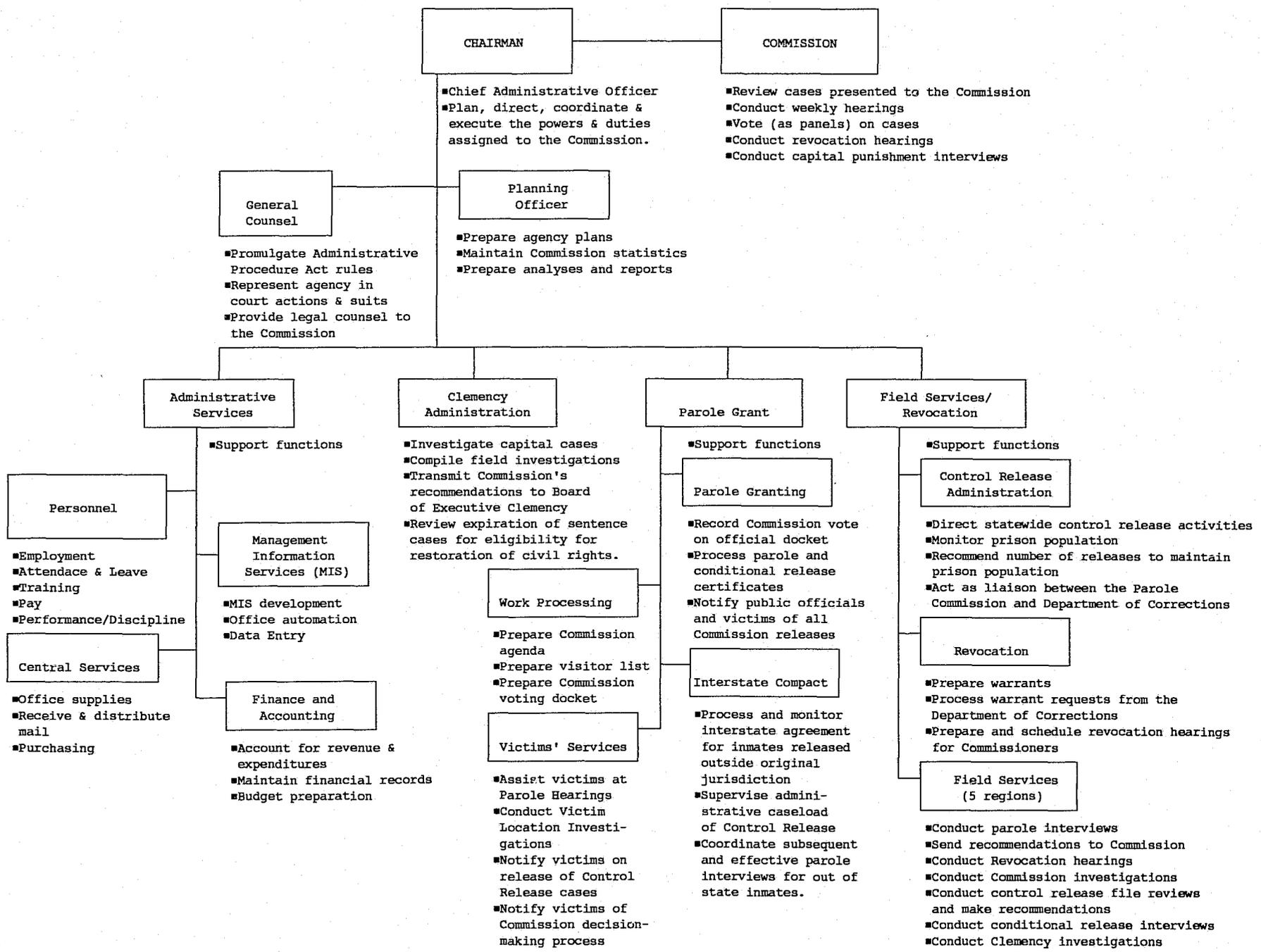
Of those inmates paroled, 45 were placed in community control and \$189,371 restitution was ordered to victims. Of those inmates released by conditional release, \$172,035 restitution was ordered to victims.

The Commission reviewed 554 parolees who had completed at least two years of supervision and modified the terms and conditions of supervision in 105 cases.

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 90-91	WORKLOAD	FY 90-91
Parole and Conditional Release Voting Docket Caseload	6,836	Warrants Issued	1,586
Control Release Voting Docket Caseload	34,111	Clemency Related:	
Parole - Judicial Notification	378	1. Capital Punishment Interviews	9
Paroles Granted	150	2. Review and recommendations	
Paroles Revoked	162	A. General Clemency	235
Conditional Releases	650	B. Waiver Cases	110
Conditional Releases Revoked	128	C. Commutation of Sentence Cases	1
Control Releases	11,156		
Control Releases Revoked	192		



Central Office Fax (904) 488-7199
OFFICE OF GENERAL COUNSEL

William L. Camper - General Counsel (904) 488-4460

ADMINISTRATIVE SERVICES

Billy G. Pelham - Director (904) 488-3415

CLEMENCY ADMINISTRATION

Ray E. Howard - Director (904) 487-1175

PAROLE GRANT

Merle D. Davis - Director (904) 488-6194

FIELD SERVICES/REVOICATION

Clarence N. Rudloff - Director (904) 922-3013

REGIONAL OFFICES

REGION I - CHATTAHOOCHEE

Frank L'Hommedieu - Regional Administrator
 P.O. Box 861
 Chattahoochee, Florida 32324
 Phone (904) 663-4051
 SC 771-4041
 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
 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
 Phone (904) 444-8859
 SC 693-8985, 8284
 FAX (904) 444-2397

Counties Covered: Escambia, Okaloosa, Santa Rosa, Walton

REGION II - SATELLITE OFFICE - JACKSONVILLE

Herman Watkins - Supervisor
 4151 Woodcock Drive, Suite 213
 Jacksonville, Florida 32207
 Phone (904) 359-6410
 SC 826-6410
 FAX (904) 348-2634

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

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) 728-3212

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) 746-2721

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) 668-6534

Counties Covered: Citrus, Hernando, Lake, Marion, Sumter

REGION V - TAMPA

Edward Jenkins - Regional Administrator
Park Trammel Bldg.
1313 N. Tampa Street, Suite 515
Tampa, Florida 33602
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
470-5071, 5072
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 Bldg., Suite 203
West Palm Beach, Florida 33401
Phone (407) 837-5128
SC 252-5128
FAX (407) 837-5313

Counties Covered: Indian River, Martin, Okeechobee, Palm Beach, St. Lucie

ADMINISTRATION OF THE COMMISSION

The Chairman is the chief administrative officer of the Florida Parole Commission in Tallahassee. 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 position of Agency Planning Officer was funded during the 1990 legislative session. 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 Functional Plan and Information Resource Management Annual Performance Report were completed and submitted in accordance with statutes. The Planning Officer maintained and distributed weekly and monthly control release statistical reports and coordinated Planning Committee activities.

ADMINISTRATIVE SERVICES

The Administrative Services department 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 General Services. Staff in four sections provide administrative support to all Commission offices. This department 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 Administration on personnel matters.

MANAGEMENT INFORMATION SYSTEMS

This section is responsible for the planning and managing of the agency's information resource program. MIS staff work closely with the Department of Corrections and the Justice Data Center in utilizing the criminal justice network, the Florida Department of Law Enforcement in utilizing the NCIC/FCIC databases, and with the Commission staff managing the LAS/PBS, SAMAS and COPES databases. This section is also responsible for data entry of all Commission actions.

FINANCE AND ACCOUNTING

This section is responsible for receiving and processing all travel vouchers, salary 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 General 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 1990-91 the Legislature authorized \$310,457 for office automation. As a result, all Commission offices were automated. Staff productivity increased as automated programs made it easier to manage and monitor the agency's new programs effectively.

With the addition of three wide area networks and one local area network, eleven offices from Pensacola to Miami were linked with each other and Central Office in Tallahassee, enhancing internal communications and providing shared resources with the Justice Data Center, the Department of Corrections and the Department of Law Enforcement.

An additional specialist position in the MIS Section enabled the expansion of microcomputer programming. Databases are being created departmentally to facilitate the management of Commission programs.

Micro-to-mainframe operations increased significantly as staff assumed full responsibility for linking the agency's computers to the IBM mainframe at the Justice Data Center. Emphasis was placed on supporting this function without purchasing additional equipment. The use of microcomputers to simultaneously access mainframe and microcomputer operations has proven very efficient and has resulted in savings of over \$50,000.

Emphasis was placed on data entry in this fiscal year with the automation of the control release program. Decentralization became necessary to maximize performance in the work processing and revocation sections, and to reduce delays in reporting functions from field offices.

Facsimile machines were placed in field offices and Central Office facilitating the transmission of documents internally and with other state agencies. Through this medium the agency is able to minimize delays when considering parole, conditional release and control release cases.

Workload projections for FY 1991-92 were prepared as well as budget forms for inclusion in the Legislative Budget Request. Figures were submitted to the Governor's Office of Planning and Budgeting for inclusion in the Florida Ten-Year Summary of Appropriations.

FINANCE AND ACCOUNTING

The Parole Commission completed an austere year financially, experiencing budget cuts in FY 1990-91 of \$895,238 and 28 positions. The adjusted annual budget for FY 1990-91 was:

Salaries	\$6,023,783
Expenses	1,374,450
OCO	234,253
OPS	164,216
Data Processing Services	2,562
TOTAL	\$7,799,264

The fiscal year was completed with no over-expenditures and reversion of funds in the amount of \$343,091.

PERSONNEL

All Career Service employees were granted a competitive pay adjustment of 3% of their base salary or \$23.98 biweekly, whichever was greater, on January 1, 1991. Pay increases for Senior Management and Selected Exempt employees were also granted on January 1, 1991 and averaged 3%.

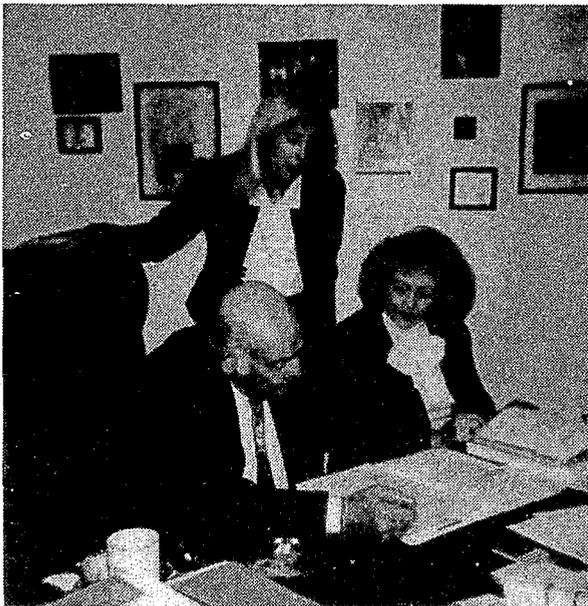
The classification plan designed in anticipation of the Control Release Program was approved by the Department of Administration and implemented. The plan created several new and revised classifications unique to the Parole Commission.

The Productivity Enhancement Plan requested by the Governor was completed and approved by the Governor's Office.

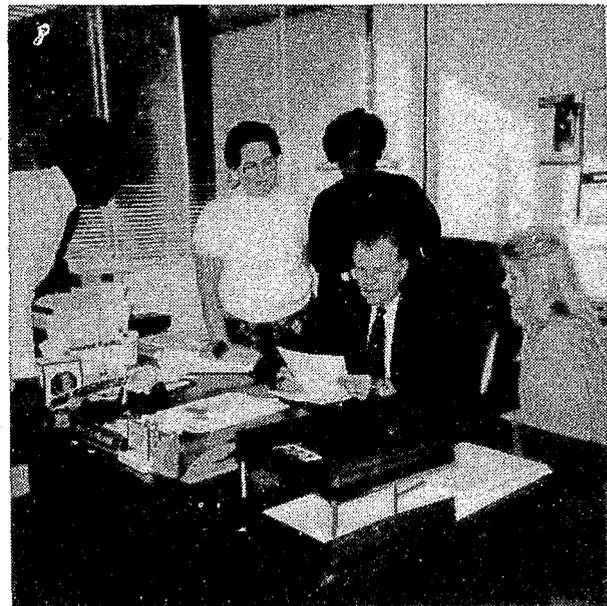
The annual Affirmative Action Report was completed and sent to the Department of Administration as required by statute.

A recycling program was designed and implemented for the Tallahassee office.

As part of the agency's Fitness/Wellness program, CPR classes were offered to Tallahassee employees and a majority of central office employees participated in a "Walk For Wellness" exercise program.



Chairman Fontana and staff review cases.



Staff in Administrative Services review monthly reports.

CLEMENCY ADMINISTRATION

Clemency Administration provides executive clemency investigation information so that the Governor and Cabinet can consider whether or not to grant clemency.

Together with the Office of Executive Clemency, this department processes information regarding eligibility for automatic restoration of civil rights when an offender exits the criminal justice system by expiring his commitment or completing his period of community supervision.

In capital punishment cases, clemency interviews are conducted at Florida State Prison. The Clemency department is responsible for the compilation of investigative material, case material and update information derived from the interview. A Commissioner interviews the inmate in the presence of defense counsel and a transcript of the interview is submitted to the Governor and Cabinet as well as to defense and state attorneys.

The Clemency department, with the assistance of the Commission's field staff, is responsible for the limited investigation surrounding the automatic restoration of civil rights cases which does not require a recommendation by the Florida Parole Commission to the Board of Executive Clemency.

An extensive investigation is made by field staff in cases of request for full pardon, firearm authority, conditional pardon, restoration of civil rights in the State of Florida, and restoration of residential 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 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 residential 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 he 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 he enjoyed as a resident of Florida prior to conviction.

If an applicant is determined eligible for *automatic restoration of civil rights* by the Commission or Clemency Administration and no objections are filed by members of the Clemency Board, these rights would be 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. Each case is 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 10 capital cases. This involved travelling to Florida State Prison at Starke to interview the death row inmates and to the Capitol to attend public hearings before the Board of Executive Clemency.

The Capital Punishment Research Specialist also devoted 493 hours on special projects dealing with capital punishment.

Much of this time was spent in assisting the Governor's Office in establishing a computer program to record and track pertinent court decisions in the appeals process.

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

Offenders terminating community supervision that were reviewed for restoration of civil rights increased to 20,952. The number of inmates released by expiration of sentence from the institutions and reviewed for restoration of civil rights decreased by 2,392 to 10,340.

The workload credit for central office review of cases expiring their Florida prison sentences was reduced from 30 to 15 minutes per case. This was possible by specialization of the staff position assigned to this function.

Central office Clemency staffing was reduced by one professional position during the year as a result of budget limitations.



Staff in Clemency review pardon requests.

CLEMENCY ADMINISTRATION WORKLOAD

Workload	FY 90-91
Processing field services clemency investigations	235
Capital punishment case briefs	10
Capital punishment interviews	9
Processing parolees/probationers terminating supervision for eligibility for restoration of civil rights	20,952
Processing inmates expiring sentences for eligibility for restoration of civil rights	10,340
Processing interstate compact parolees terminating supervision for RCR	60
Processing commutation of sentence cases	1
Processing waivers	110
Clemency Board Decisions	165

PAROLE GRANT

Parole Grant is directly responsible for parole, the control release and conditional release programs and for offering post-conviction services to victims. It is also responsible for providing public notice of the Commission's weekly public hearings.

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.

PAROLE GRANTING

This section provides administrative and clerical support to the Commission in its consideration of parole, control release and conditional releases. This support ranges from the maintenance of official voting dockets to the production of Commission orders. This section also notifies the courts, state attorneys and sheriffs of all impending releases.

WORK PROCESSING

This section prepares case files and Commission dockets for twice a week Commission voting sessions. Other responsibilities include preparation for the Commission meetings with respect to persons who may wish to appear to speak at the meetings and notification of visitors.

INTERSTATE COMPACT

The Interstate Compact section is the administrative link between the Commission and criminal justice agencies in other states. Duties include the scheduling of subsequent and effective interviews for out-of-state inmates and involvement in the return of parole, control release and conditional release violators. Staff also monitors control release cases in other jurisdictions when placement is not possible through the Interstate Compact Agreement.

VICTIM SERVICES

Funded by a Victims of Crime Act grant, this section identifies victims at the beginning of the parole decision-making process by conducting file reviews. 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 coordinator attends Commission meetings to meet with victims, victims' families and victim advocacy groups.

THE PAROLE PROCESS

Inmates who committed an offense which resulted 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, or elect to remain parole eligible. Capital life felons are eligible for parole consideration after service of the mandatory minimum 25 years.

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

At subsequent interviews, 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 instances of serious medical problems, on receipt of court orders modifying sentences, or on recommendation from the Department of Corrections.



Interstate Compact staff monitor out of state caseload.

The Commission conducts effective interviews to review 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's response to the notice. After establishing an effective parole release date, the Commission may postpone the release if disciplinary actions are taken against the inmate, if new criminal charges are filed, or if field reports confirm an unsatisfactory parole plan.

Each parolee is given an Order of Parole containing standard conditions of parole. The Commission has the authority to add special conditions of parole for the benefit of the parolee and for the protection of society. Restitution is important in the paroling process, and the Commission makes every effort to secure restitution for the victims. The inmate may request one review of the terms and conditions of parole which must be initiated within 120 days of the date he received a certified copy of the terms and conditions of his parole.

The Commission also approves mutual participation program agreements. This program involves development of a formal agreement between the inmate, the Department of Corrections and the Commission, and provides an incentive mechanism for an inmate to gain parole release prior to his PPRD.

Persons serving single or concurrent sentences are paroled up to a two-year parole term unless the Commission stipulates in writing the reasons for an extended parole period. Those serving a consecutive sentence or sentences are paroled 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 one prior felony commitment at a state or federal correctional institution or is sentenced as a habitual or violent habitual offender shall, upon reaching their tentative release date or the provisional release date, whichever is earlier, be released under supervision subject to specified terms and conditions, including payment of the cost of supervision pursuant to Section 945.30, Florida Statute.

During FY 1990-91, 650 conditional releases occurred.

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 reporting schedule of the parolee, or 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 that 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 in compliance with the Victim's Assistance Law (Chapter 960, Florida Statute) and other statutes governing victims' rights relating to parole, conditional release and control release.

Services include personal contact with victims at public parole hearings and letters, telephone calls, and investigations conducted by field staff to locate and explain to victims their rights in the parole process.

Victims' rights include the right to be notified of Commission hearings to consider whether to grant or deny parole, or make adjustments to inmates' presumptive parole dates. 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. Victims also have the right to be notified when an inmate will be paroled. Assistance to victims was provided at public hearings in Tallahassee, Tampa, Miami, Jacksonville and Pensacola during this fiscal year.

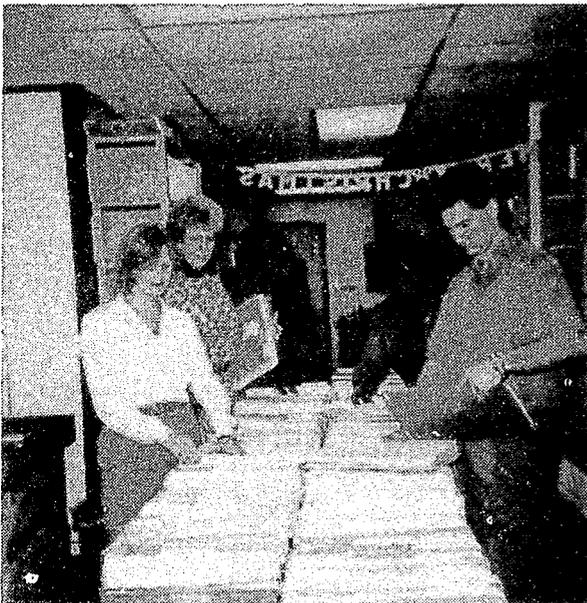
Victims of inmates eligible for control release have the right to file Victim Input Statements with the Commission. These statements provide information from the victim's standpoint and are considered by the Commission before a control release date is set. Victims are also notified before an inmate is released on the control release date.

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 also works closely with victims' rights groups throughout the state: Mothers Against Drunk Driving (MADD), Parents of Murdered Children, victim witness counselors in State Attorney offices, and other victim advocacy groups.

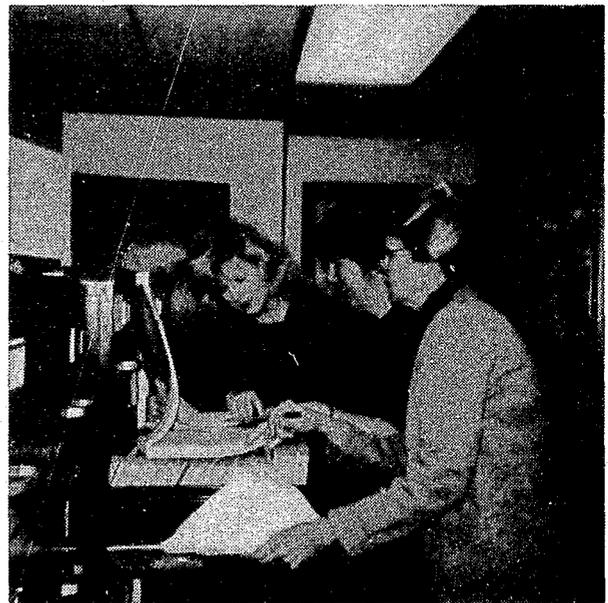
The Commission has a Victims' Advocacy Advisory Committee which offers valuable advice to the commission concerning policy and programs as it relates to victims.

PAROLE GRANT WORKLOAD

Workload	FY 90-91
Parole and conditional release docket caseload	6,128
Vote sheets and orders prepared	6,836
Judicial notices delivered	378
Inmate cases with visitors	1,791
Visitors at hearings	1,843
Control release docket caseload	34,111
Interstate control release cases monitored	225
Control release certificates reviewed	975
Victim letters received	615
Victim input statements mailed	23,128
Interstate Compact cases reviewed	1,681
Interstate reporting contacts	714
Notices of release mailed	17,630



Work Processing staff prepare Commission voting dockets



Commission staff check control release decisions.

FIELD SERVICES

Field Services is geographically divided into five regions, each corresponding to the boundaries established for the Department of Corrections. Each has a regional office and one or more satellite offices. The number of offices is determined by the geographic and/or demographic make-up.

This regional division minimizes travel and allows personnel in each region to adopt such localized policies and procedures as may be necessary for efficient interaction with the Department and other criminal justice agencies. Regions are managed by a supervisor 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 and analysis. Examiners locate victims and verify the amount of restitution owed. Parole Supervision reviews are conducted in partnership with the supervising parole officer in order to periodically re-evaluate the status of individual 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. The timely delivery of notices to judicial authorities is accomplished locally. Recision hearings are conducted in cases when it is determined there are significant developments which may impact on an order of parole not yet executed.

Parole examiners conduct in-depth reviews and analytical interviews in State, County and Federal custodial facilities, making appropriate recommendations to the Commission regarding the establishment of and adjustments to parole release dates, and the qualifications of inmates for conditional release. Together with staff of the Department of Corrections and inmates, they review and analyze mutual participation proposals, conduct negotiations, renegotiations, amendments and violation hearings for the Commission's review and decision.

Examiners issue subpoenas and conduct preliminary parole revocation 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 review and resolution. Examiners also conduct final revocation hearings on cases involving conditional, and control release violations.

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. Field staff also make arrangements for and assist in the conduct of Commission meetings outside Tallahassee.

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

CONTROL RELEASE

FY 1990-91 was primarily devoted to the implementation of the Control Release Program. 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 sentence imposed.

The Control Release section plans, organizes and directs the Control Release Program activities on a statewide basis. This section also provides quality control monitoring for new and on-going control release activities.

The Control Release Administrator, together with Department of Corrections staff, analyzes projected prison admissions and bed space availability. Weekly recommendations are made to the Commission concerning control release date advancements necessary to maintain the prison population within the statutory limit and avoid the application of provisional release credits. Training and technical assistance has been provided to Commission staff, Department staff, Victim Advocacy groups, State Attorneys, Public Defenders, Members of the Judiciary, Legislators and other interested groups.

In FY 1990-91, 30,272 control release cases were docketed for Commission action. 11,156 inmates were released via control release, 63% with post release supervision. Of those released, 228 were returned to Department of Corrections custody due to either new criminal convictions or technical violations of their post-release supervision.

FIELD SERVICES WORKLOAD

WORKLOAD	FY 90-91
Conditional Release Related	
Conditional Release Interviews	780
Conditional Release Eligibility Reviews	2,265
Conditional Release Pre-Release Investigations	30
Conditional Release Violation Hearing Interviews	191
Conditional Release Violation Hearings	56
Control Release Related	
Control Release File Reviews	35,663
Control Release Eligibility Reviews	4,295
Control Release Violation Hearing Interviews	528
Control Release Violation Hearings	133
Control Release Bond Hearings	356
Clemency Related	
Clemency Investigations	257
Restoration of Civil Rights Investigations	20,227
Waiver Investigations	17
Parole Related	
Initial Interviews	327
Biennial/Special Interviews	1,911
Effective Interviews	311
Eligibility Reviews	465
County Jail Interviews	1,037
Initial Preliminary Hearing Interviews	459
Preliminary Hearings	185
Bond Hearings	306
Initial Pre-Revocation Interviews	305
Staff Revocation Hearings	30
Other Investigations	
Type A Investigations	2,586
Type B Investigations	363
Mutual Participation Program	
Proposal Reviews	70
Negotiations	57
Violation Hearings	1
Renegotiations/Amendments	4

REVOCATION

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 that the releasee has allegedly violated one or more conditions of release. A written violation report is reviewed and analyzed by a revocation specialist and if appropriate, a warrant is drafted which is reviewed by 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) from the Commission warrant.

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. 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.

Within a reasonable time after the 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 releasee and return the violator to prison to serve the remainder of the sentence imposed upon him, may reinstate the original order granting release or enter such order as it considers proper.

The Commission contracts each year with private attorneys in both North and South Florida to represent parolees at final revocation hearings. The Legislature has not provided funding for attorney representation of indigent releasees involved in the control or conditional release revocation processes.

REVOCATION WORKLOAD

Workload	FY 90-91
Processing issuance of warrants	1,586
Processing existing warrants	283
Parole Revocations	162
Conditional Release Revocations	128
Control Release Revocations	192
Community Control Revocations	12

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, 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 Circuit Court to seek judicial review of his presumptive parole release date, or his control release date, as 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 Circuit 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.

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 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

1990-91 fiscal year with the general counsel, three staff attorneys, one executive secretary and one administrative secretary. Nearly 300 new lawsuits were filed in various courts, with the Florida Parole Commission as a named party. This litigation involved challenges to Commission actions on presumptive parole release dates, parole revocation decisions, conditional release matters and control release determinations and revocation proceedings. However, there were also inmates seeking declaratory judgments as well as challenges to the 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 cases 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. Most significant was implementation of the Control Release Program, which involved promulgation of rules, preparation of forms, preparation of a Control Release pamphlet, and assisting the Legislature in amending and clarifying the Control Release Statute. Additionally, conditional release rules were promulgated and adopted.

Attorneys from the office regularly met with Revocation staff to discuss upcoming parole and control release revocation hearings, and to determine whether the hearings presented any particular legal problems. On occasion, attorneys attended revocation hearings to provide legal advice to the hearing Commissioner. Further, the General Counsel worked with Revocation in drafting contracts for legal representation of indigent parolees 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 the Corrections Committee, Florida Council on Crime and Delinquency, and Crime Prevention Committees.

GENERAL COUNSEL WORKLOAD

Administrative Duties: 1990-91

A.	Verbal advice	448
B.	Legal opinions	76
C.	Special projects	23

Litigation:

A.	Briefs	31
B.	Motions	91
C.	Extraordinary writ proceedings	103
D.	General pleadings, motions and notices	13
E.	Evidentiary hearings	7

**CHAIRMAN'S AWARD 1990-91
CATEGORY I**

Sandra Lilla



Sandra Lilla has been with the Commission for five years. Beginning as a Parole Examiner in Region IV, Sandra has progressed to Parole Examiner Supervisor. She is highly motivated, responsible, dependable, and thoroughly dedicated to her work. Sandra is always willing to assist others and goes far beyond what is expected of her.

The Parole Commission is fortunate to have Sandra on its staff.

**CHAIRMAN'S AWARD 1990-91
CATEGORY II**

Lena Tipton



Lena Tipton has been with the Commission for 29 years. An Administrative Secretary in Region I, Lena's knowledge and skills have been indispensable. She enjoys the complete confidence of her supervisors and other staff and is always quick to seize the initiative to complete any task or project that is given. Lena has maintained an exceptional level of performance and professionalism during her career and her experience and constructive input have proven invaluable to the Commission. Thank you, Lena.

EMPLOYEE OF THE YEAR 1990-91

Ming-Hui Ko



Ming Ko has been with the Commission since January, 1989. Since that time he has installed and maintained the agency's microcomputer equipment and equipment associated with main-frame usage, statewide. He has saved the Commission many thousands of dollars in maintenance and repair costs. Ming has also recycled computer components saving additional funds. Ming's interpersonal skills are commendable. He carries out his duties in a professional manner and exceeds the performance expected of him. Congratulations, Ming!

THIRTY YEARS AND MORE

Ray Howard, Director of Clemency Administration, Central Office

TWENTY-FIVE YEARS OR MORE

Ray Chancey, Parole Examiner Supervisor, Region II
Annette Messer, Executive Secretary, Central Office
Wanda Bryan, Parole Technician Administrator, Central Office
William Browning, Regional Administrator, Region I
Carolyn Tibbetts, Capital Punishment Research Specialist, Central Office
Lena Tipton, Administrative Secretary, Region I
Edward Jenkins, Regional Administrator, Region V
Gloria Williams, Parole Technician, Central Office
Spence McCall, Regional Administrator, Central Office

TWENTY YEARS OR MORE

David Roberts, Parole Examiner, Central Office
Merle Davis, Director of Parole Grant, Central Office
James Trotter, Parole Examiner, Region II
Richard Lonsinger, Parole Examiner, Region I
Lionel Garcia, Parole Examiner Supervisor, Region V
Lynda Henderson, Administrative Assistant II, Central Office
Lola Taylor, Accounting Services Supervisor I, Central Office
Donna Robinson, Administrative Assistant II, Central Office
Sherry Colvin, Revocation Specialist, Central Office
Ann Knight, Accountant I, Central Office
Gloria Claiborne, Parole Technician Administrator, Central Office
Howard Miller, Senior Revocation Specialist, Central Office
Samuel Cooper, Parole Examiner, Region V
Hunter Pfeiffer, Parole Examiner Supervisor, Region I

FIFTEEN YEARS OR MORE

Ida Walker, Clerk Specialist, Central Office
Winnofae Fair, Executive Secretary, Central Office
Paula Stevenson, Senior Revocation Specialist, Central Office
Jeffrey Jansen, Revocation Administrator, Central Office
William Sutton, Parole Examiner, Region III
Josephine Jackson, Senior Clerk, Central Office
Julia McGill, Parole Technician Supervisor, Central Office
Ora Wilson, Administrative Assistant II, Central Office
Cynthia Griffin, Executive Secretary, Central Office
Sara Edenfield, Parole Technician Supervisor, Central Office
Ronald Harrell, Parole Examiner, Region I
Phyllis Keenan, Parole Technician Supervisor, Central Office
Malinda Thomas, Parole Technician Supervisor, Central Office
Mike Hamm, Senior Revocation Specialist, Central Office
Herman Watkins, Parole Examiner Supervisor, Region II
Wilma Burns, Administrative Secretary, Region III



FRANCES DUNCAN

Frances Duncan began her career with the State of Florida in February of 1973 at the Department of Highway Safety and Motor Vehicles. In 1975 she began working as a Clerk-Typist in the Planning and Evaluation section of the Commission's Tallahassee office. After several promotions throughout her career, Frances retired on February 28, 1991, as a Parole Technician Supervisor in the Parole Granting section. We wish Frances all the best in her retirement.



JUDY HANSEN

After serving 34 years with the Parole Commission, Judy Hansen retired on October 12, 1990 from her position as Administrative Secretary to the Regional Administrator, Region II in Starke.

Judy made many friends in her years of service with the Commission and her co-workers throughout the state wish her the very best in her retirement.

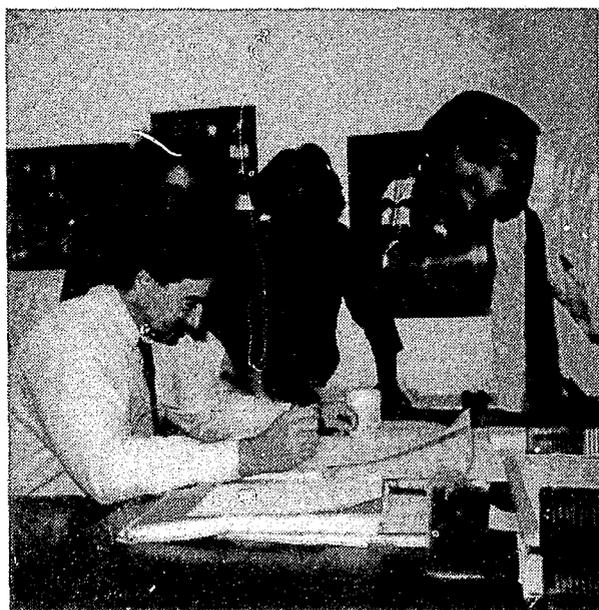
During the 1991 session, the Florida Legislature enacted several amendments to Chapter 947, Florida Statutes. Chapter 91-280, Laws of Florida, Section 10, provided for several changes in the Control Release Law. The statutory exemptions from Control Release, found in Section 947.146(4), Florida Statutes, were expanded to exclude persons convicted of violent offenses against officers, judges, or prosecutors in other states. Similarly, persons convicted of any degree of murder in another jurisdiction are also statutorily ineligible for Control Release. An entirely new subsection was added to the statute, clarifying that mandatory minimum terms would be moved "up front" for purposes of determining eligibility for Control Release.

Chapter 91-280, Laws of Florida, Section 10, greatly expanded the Commission's authority to extend or advance control release dates. The Commission may now modify control release dates based upon recently discovered information concerning: (a) past criminal conduct; (b) verified threats by inmates provided by victims, law enforcement, or the Department of Corrections; (c) history of abuse or addiction to a chemical substance verified by a Presentence or Postsentence Investigation Report; (d) the inmate's ties to organized crime; (e) a change in the inmate's sentence structure; (f) cooperation with law enforcement; (g) strong community support; and (h) a documented mental condition as a factor for future criminal behavior.

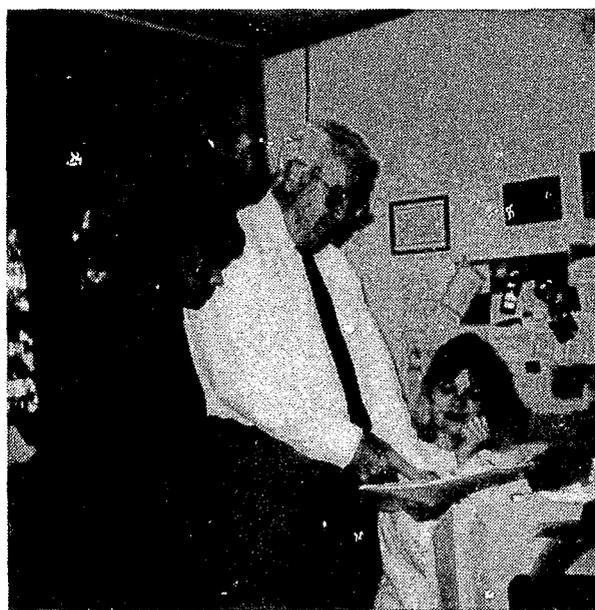
Chapter 91-280, Laws of Florida, Section 10, also clarified the procedures and the instances where a control releasee must be returned to custody. A new Section 947.146(12) was added to clarify that if any control releasee was placed on control release while statutorily ineligible, his order of control release may be vacated, and a warrant issued for his arrest and return to custody for service of the unserved portion of his sentence. Finally, in Chapter 91-280, Laws of Florida, Section 12, the authority of parole and probation officers to arrest violators was expanded to include control releasees and conditional releasees.

Chapter 91-167, Laws of Florida, created a new statutory section requiring that any court-ordered restitution be a condition of control release. Further, the statute authorizes the Commission to revoke control release upon any failure of the control releasee to comply with restitution requirements.

Section 947.177, Florida Statutes, was amended by Chapter 91-65, Laws of Florida. This new statutory subsection requires that within 90 days prior to an inmate's release on parole, an exit photo of the inmate must be placed in his file.



Staff in Control Release monitor inmate population.



Legal staff prepare response to legal motion.

FLORIDA PAROLE COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL
June 30, 1991

Revenues:			
General Revenue Appropriation	\$ 7,799,264.00	\$ 7,799,264.00	\$ 0.00
Less Reversions 06-30-91		(343,090.55)	(343,090.55)
		<hr/>	
Total Revenues	\$ 7,799,264.00	\$ 7,456,173.45	\$ (343,090.55)
		<hr/>	
Expenditures:			
Salary	6,023,783.00	5,727,773.37	296,009.63
Other Personal Services	164,216.00	163,399.80	816.20
Expenses	1,374,450.00	1,328,927.46	45,522.54
Operating Capital Outlay	234,253.00	234,238.89	14.11
Data Processing Services	2,562.00	1,833.93	728.07
		<hr/>	
Total Expenditures	\$ 7,799,264.00	\$ 7,456,173.45	\$ 343,090.55
		<hr/>	
Excess of Revenue over (under Expenditures)	0.00	0.00	0.00
		<hr/>	
Fund Balances July 1, 1989		7,791.97	7,791.97
		<hr/>	
Increases (Decreases) in Supply Inventory		2,670.98	2,670.98
		<hr/>	
Fund Balances June 30, 1990	\$ 0.00	\$ 10,462.95	\$ 10,462.95
		<hr/> <hr/>	

FLORIDA PAROLE COMMISSION
COMBINED BALANCE SHEET ALL FUND TYPES AND ACCOUNT GROUPS
June 30, 1991

	Governmental Fund Type		Account Groups		Total
	General Revenue	Trust and Agency	General Fixed Assets	General Long Term Debt	(Memorandum Only)
ASSETS:					
Unexpended General Revenue					
Releases	\$ 530,890.64	\$	\$	\$	\$ 530,890.64
Accounts Receivable		2,767.09			2,767.09
Supply Inventory	10,462.95				10,462.95
Machinery and Equipment			450,750.05		450,750.05
Amount to be Provided					
General Long Term Debt				858,591.53	858,591.53
Total Assets	\$ 541,353.59	\$ 2,767.09	\$ 450,750.05	\$ 858,591.53	\$1,853,462.26
LIABILITIES:					
Accounts Payable	173,805.44				173,805.44
Due to Other Departments	13,631.63				13,631.63
Due to Other Governmental Units	363.02				363.02
Compensated Leave Balances				858,591.53	858,591.53
Due to General Revenue					
Unallocated	343,090.55	2,767.09			345,857.64
Total Liabilities	\$ 530,890.64	\$ 2,767.09	\$ 0.00	\$ 858,591.53	\$1,392,249.26
FUND EQUITY:					
Investments in General					
Fixed Assets			450,750.05		450,750.05
Reserved for Supply Inventory	10,462.95				10,462.95
Total Fund Equity	10,462.95	0.00	450,750.05	0.00	461,213.00
Total Liabilities and Fund Equities	\$ 541,353.59	\$ 2,767.09	\$ 450,750.05	\$ 858,591.53	\$1,853,462.26

WE PAUSE THIS YEAR TO REMEMBER**CECIL SEWELL**

Cecil Sewell began working with the State of Florida in 1948 at Florida State Prison in Raiford. After 33 years in the criminal justice system, he retired in 1982. In 1986, Cecil returned to work with the state and was employed with the Parole Commission as a Revocation Specialist when his untimely death occurred on May 12, 1991.

Cecil's friends throughout the state will miss him.

**1990-1991
ANNUAL REPORT
COMMITTEE**

Edward Eckstein, Chairperson

Kurt Ahrendt, 1990-91 Legislation

Jody Ireland, Photography

Ruth Anne Reese, Commission

Linda Summers, Editing

Cindy Hoffman, Editing

Gene Strickland, Control Release

Christina Pippin, Typing and Copying

This public document was promulgated at an annual cost of \$1932.40 or \$2.76 per copy to train staff and inform the Governor and Cabinet, members of the Legislature, and the general public of the status, accomplishments, and future goals of this agency. Pursuant to Florida Statutes 947.15.