



# FLORIDA PAROLE COMMISSION

TENA M. PATE, CHAIR  
MONICA DAVID, VICE CHAIR  
VACANT, SECRETARY

RICK SCOTT, GOVERNOR  
PAM BONDI, ATTORNEY GENERAL  
JEFF ATWATER, CHIEF FINANCIAL OFFICER  
ADAM PUTNAM, COMMISSIONER OF AGRICULTURE

## LETTER OF TRANSMITTAL

### LONG RANGE PROGRAM PLAN

September 19, 2011

Jerry L. McDaniel, Director  
Office of Policy and Budget  
Executive Office of the Governor  
1701 Capitol  
Tallahassee, Florida 32399-0001

Terry Rhodes, Staff Director  
Senate Budget Committee  
201 Capitol  
Tallahassee, Florida 32399-1100

JoAnne Leznoff, Staff Director  
House Appropriations Committee  
221 Capitol  
Tallahassee, Florida 32399-1300

Dear Directors:

Pursuant to Chapter 216, *Florida Statutes*, the Long Range Program Plan (LRPP) for the Florida Parole Commission is submitted in the format prescribed in the FY 2012-13 budget instructions. The information provided electronically and contained herein is a true and accurate presentation of our mission, goals, objectives, and measures for the Fiscal Years 2012-13 through 2016-17. This submission has been approved by me, Tena M. Pate, as Chair of the Commission.

Should you have any questions regarding this document, please contact me at 487-1980.

Sincerely,

Tena M. Pate  
Chair

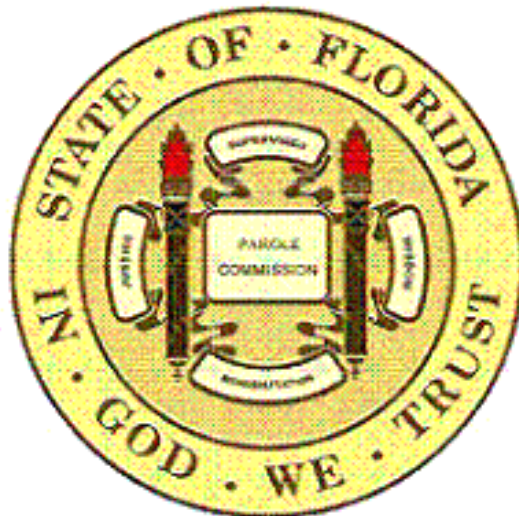
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OFFICE OF THE CHAIR  
4070 ESPLANADE WAY, TALLAHASSEE, FL 32399-2450 • (850) 922-0000  
<https://fpc.state.fl.us/>

# **FLORIDA PAROLE COMMISSION**

**A Governor and Cabinet Agency Created in 1941**



## **LONG RANGE PROGRAM PLAN PREPARED FOR THE OFFICE OF POLICY AND BUDGET**

**FISCAL YEAR 2012-13  
THROUGH  
FISCAL YEAR 2016-17**

**TENA M. PATE, CHAIR  
SEPTEMBER 30, 2011**

# FLORIDA PAROLE COMMISSION

**TENA M. PATE, CHAIR**

**MONICA DAVID, VICE CHAIR**

**(VACANT), COMMISSIONER**

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**GINA GIACOMO, DIRECTOR, ADMINISTRATION**  
**JANE TILLMAN, DIRECTOR, COMMUNICATIONS AND LEGISLATIVE AFFAIRS**  
**WILL KENDRICK, SPECIAL PROGRAMS/PROJECTS SUPERVISOR**  
**KAREN HUFF, BUDGET & ACCOUNTING ADMINISTRATOR**

**4070 ESPLANADE WAY**  
**TALLAHASSEE, FLORIDA 32399-2450**

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## THE FLORIDA CABINET



**Rick Scott**

*Governor*



**Pam Bondi**

*Attorney General*



**Jeff Atwater**

*Chief Financial  
Officer*



**Adam Putnam**

*Commissioner  
Agriculture & Consumer  
Services*

# **AGENCY MISSION AND GOALS**

## **MISSION STATEMENT**

### **To Ensure Public Safety and Provide Victim Assistance Through the Post Prison Release Process**

## **GOALS**

The Florida Parole Commission (hereinafter referred to as “Commission”) has five goals designed to provide for public safety and increased efficiency, while striving to meet the Commission’s approved performance measures and standards. The Commission’s goals are:

1. To select individuals appropriate for parole;
2. To ensure informed decision-making (Commission and Board of Executive Clemency, hereinafter referred to as “Board”);
3. To guarantee timely decisions;
4. To ensure informed decision-making (Board, Restoration of Civil Rights *Without a Hearing* cases, hereinafter referred to as “RCR”); and
5. To ensure informed decision-making (Board, RCR *With a Hearing* cases).

## **OBJECTIVES OF THE FLORIDA PAROLE COMMISSION**

**GOAL 1.** To select individuals appropriate for parole.

**OBJECTIVE 1A:** To identify individuals who will succeed as law-abiding citizens.

**GOAL 2.** To ensure informed decision-making (Commission and Board).

**OBJECTIVE 2A:** To provide complete and accurate information to the Commission on Parole, Conditional Medical, Conditional, Addiction Recovery, and Control Release decisions, and the Board on non-RCR<sup>1</sup> cases.

**GOAL 3.** To guarantee timely decisions.

**OBJECTIVE 3A:** To complete the revocation process within specific timeframes.

**GOAL 4.** To ensure informed decision-making. (Board, RCR *Without a Hearing* cases).

**OBJECTIVE 4A:** To ensure that eligibility determinations and investigatory information provided to the Board for Restoration of Civil Rights *Without a Hearing* cases contain no factual errors.

**GOAL 5.** To ensure informed decision-making. (Board, RCR *With a Hearing* cases).

**OBJECTIVE 5A:** To ensure that eligibility determinations and investigatory information provided to the Board for Restoration of Civil Rights *With a Hearing* cases contain no factual errors.

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<sup>1</sup> Non-RCR: full pardon, pardon without firearm authority, pardon for misdemeanor, commutation of sentence, remission of fines and forfeitures, specific authority to own or possess firearms, requests for review, and capital case (death penalty) reviews.

## SERVICE OUTCOMES and PERFORMANCE PROJECTION TABLES

### GOAL ONE

**GOAL #1:** To select individuals appropriate for parole.

**OBJECTIVE 1A:** To identify individuals who will succeed as law-abiding citizens.

**OUTCOME:** Percent of parolees who have successfully completed their supervision without revocation within the first two years.

Baseline Year 99/00	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
90%	85%	85%	85%	85%	85%

The Commission **exceeded** its projected goal of 85%. There were 38 inmates paroled during the reporting period, with **35 or 92%** successfully completing their supervision without revocation within the first two years of release.

### GOAL TWO

**GOAL #2:** To ensure informed decision-making.

**OBJECTIVE 2A:** To provide complete and accurate information to the Commission on Parole, Conditional Medical, Conditional, Addiction Recovery, and Control Release decisions and to the Board on non-RCR cases.

**OUTCOME:** Percent of all cases placed before the Parole Commission and Clemency Board containing no factual errors.

Baseline Year 99/00	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
83%	98%	98%	98%	98%	98%

The Commission **exceeded** its projected goal of 98% by placing **99% of its cases before the Commission and the Board** with no factual errors in FY 2010-11.

### GOAL THREE

**GOAL #3:** To guarantee timely decisions.

**OBJECTIVE 3A:** To complete the revocation process within specific timeframes.

**OUTCOME:** Percent of revocation cases completed within 90 days of final hearing.

Baseline Year 1999/00	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
95%	99%	99%	99%	99%	99%

The Commission completed 1,363 revocation cases within 90 days after the final hearing for 99% in FY 2010-11. The Commission **achieved** its projected goal of **99%**.

### GOAL FOUR

**GOAL #4** To ensure informed decision-making.

**OBJECTIVE 4A:** To ensure that eligibility determinations and investigatory information provided to the Board for Restoration of Civil Rights *Without a Hearing* cases contain no factual errors.

**OUTCOME:** Percent of RCR *Without a Hearing* cases provided to the Clemency Board containing no factual errors.

Baseline Year 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
TBD	99%	99%	99%	99%	99%

The Commission requested this goal and performance measure in response to the Board amending the Rules of Executive Clemency (Rules) on March 9, 2011, which changed the policy governing the clemency process. Restoration of Civil Rights cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. The measure was approved by OPB in 2011 with FY 2011-12 determined to be the baseline year to begin the collection of this data.

## GOAL FIVE

**GOAL #5:** To ensure informed decision-making.

**OBJECTIVE 5A:** To ensure that eligibility determinations and investigatory information provided to the Board for Restoration of Civil Rights *With a Hearing* cases contain no factual errors.

**OUTCOME:** Percent of Restoration of Civil Rights *With a Hearing* cases provided to the Clemency Board containing no factual errors.

<b>Baseline Year 2011-12</b>	<b>FY 2012-13</b>	<b>FY 2013-14</b>	<b>FY 2014-15</b>	<b>FY 2015-16</b>	<b>FY 2016-17</b>
<b>TBD</b>	99%	99%	99%	99%	99%

The Commission requested this goal and performance measure in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. Restoration of Civil Rights cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. The measure was approved by OPB in 2011 with FY 2011-12 determined to be the baseline year to begin the collection of this data.



## Linkage to Governor's Priorities

The Commission's Long Range Program Plan (LRPP) aims to commit the agency's existing resources to ensuring public safety for the citizens of this State in an effective and efficient manner. The Commission's highest priority is to ensure public safety. The Commission's goals 1-5 link to the Governor's priority #1, "Accountability Budgeting," and goals 1, 4, and 5 also link to the Governor's priority #2, "Reduce Government Spending." The Commission achieves this by selecting individuals for parole release who demonstrate rehabilitation and who have used their time in prison to get an education and learn skills so that when they are released into a community they can provide for themselves as well as provide for their families. Accurate clemency investigations and reports are accomplished through staff training and quality assurance measures, maximizing the Commission's resources and ensuring fiscal responsibility. Restoration of Civil Rights encourages individuals to become more responsible citizens within the community.

### Governor's Priorities

#### #1 – Accountability Budgeting

- GOAL 1.** To select individuals appropriate for parole.
- GOAL 2.** To ensure informed decision-making (Commission and Board).
- GOAL 3.** To guarantee timely decisions.
- GOAL 4.** To ensure informed decision-making (RCR *Without a Hearing* cases).
- GOAL 5.** To ensure informed decision-making (RCR *With a Hearing* cases).

#### #2 – Reduce Government Spending

- GOAL 1.** To select individuals appropriate for parole.
- GOAL 4.** To ensure informed decision-making (RCR *Without a Hearing* cases).
- GOAL 5.** To ensure informed decision-making (RCR *With a Hearing* cases).

#### #3 – Regulatory Reform

#### #4 – Focus on Job Growth and Retention

#### #5 – World Class Universities

#### #6 – Reduce Property Taxes

#### #7 – Eliminate Florida's Corporate Income Tax Over Seven Years











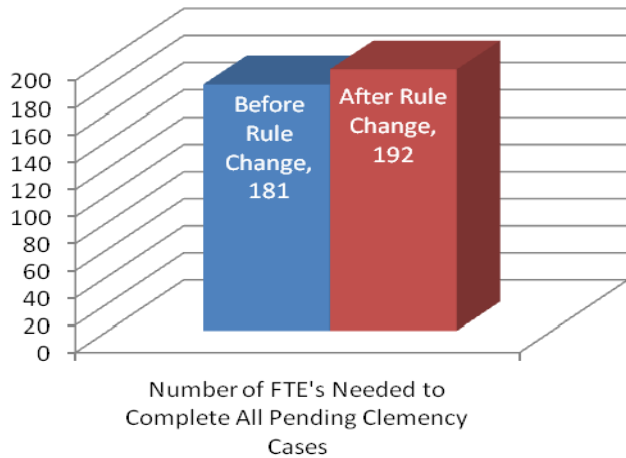












Before the Rules of Executive Clemency were amended, 181 FTEs were required to complete 105,341 pending clemency cases as of March 1, 2011.

After the rules changes, 192 FTEs are required to complete 95,425 pending clemency cases as of July 1, 2011.

In addition to the pending cases, the Commission is projected to receive 4,725 clemency cases during FY 2011-12.

The Commission is requesting ten (10) additional clemency positions in its Legislative Budget Request for FY 2012-13. Recognizing the State's continuing budgetary constraints and the Commission's current office space, the workload drives this request. These ten (10) positions will complete 3,635 RCR Without a Hearing cases annually, which will positively impact the pending clemency investigation workload.

### GOAL ONE

The Commission's first goal is to select individuals for parole who will succeed as law-abiding citizens. When determining whether to release an inmate on parole, the Commission conducts a thorough review of the inmate's record.

The Commission reviews not only the circumstances and seriousness of the offense, but also the inmate's prior criminal record, previous education, employment history, risk assessment evaluations, disciplinary record in prison, substance abuse history and any other information that would impact a release decision. Commission parole examiners interview the inmate at the prison, review the complete institutional record and the inmate's release plan, and provide the Commission with an investigative report. Mental health records are provided upon request by the Department.

When considering parole, the Commission must make a finding that there is a reasonable probability that the inmate will be law-abiding, will not become a public charge, and that his/her release will be compatible with his/her own welfare and the welfare of society. The Commission sets the term and the conditions of supervision for those released on parole. The conditions of supervision are intended to facilitate the parolee's successful reintegration into

society and protect the public. The inmate must agree to the terms and conditions of supervision in order to be paroled. If the parolee violates the conditions of supervision, the Commission may revoke that supervision and return the parolee to prison or take other appropriate action. While the Commission granted parole to 35 inmates in FY 2010-11, the Commission made 1,043 parole decisions.

The Commission also furthers this goal through the analysis of parole revocations data to identify common factors among this population of offenders that may have contributed to their inability to successfully transition into the community. This information aids the Commission in making future parole decisions and in assisting correctional probation officers in supervising parolees.

In FY 2008-09 and 2009-10, there were 38 inmates paroled; with 35 inmates, or 92%, successfully completing their supervision without revocation within the first two years of release. In FY 2010-11, the Commission **exceeded** its projected goal of **85%**.

## **GOAL TWO**

The Commission's second goal is to ensure informed decisions are made by placing cases before the Commission and Board that have no factual errors. The objective of this goal is to ensure that the Commission and Board have the most complete and accurate information upon which to base their decisions. "Complete information" means that staff has obtained or attempted to obtain all relevant information necessary for the Commission or Board to make an informed decision. "Accurate information" means that the information presented has been verified or there is a statement in the report or investigation as to the reason the information could not be verified. "Factual errors" are defined as an omission of information or reporting incorrect information. These errors do not include typographical errors. The types of cases reviewed for errors include non-RCR clemency investigations, cases considered for release, and revocation hearings. The Commissioners and the Board identify errors in the reports and investigations for the various types of cases reviewed. These errors are tabulated and expressed as a percentage of the total number of cases that are placed before the Commission and the Board. By providing complete and accurate information, the Commission and the Board are able to make informed, accurate decisions. Targeting the error rate through performance measures allows the Commission to thoroughly evaluate errors and improve the release, revocation, and non-RCR clemency process.

This goal remains a high priority of the agency because the Commission and Board are ultimately decision-making bodies. The information provided to them by staff forms the basis of their decisions. Accordingly, their effectiveness as decision-makers is directly related to, or dependent in large part upon, the completeness and accuracy of the information provided.

The Commission addresses this priority by establishing clear policies and procedures, providing training, and completing quality assurance (QA) reviews. This ensures that staff produces a quality work product by having the Commission provide clear direction as to what is expected

in the performance of their duties. Training provides detailed instruction on the correct procedures that must be followed when acting as a Hearing Officer in revocation proceedings or when acting as an investigator on a clemency case. The quality assurance reviews are conducted by regional administrators, supervisors, and central office staff.

The percent of cases placed before the Commission/Board containing no factual errors for FY 2010-11 was 99%. The Commission **exceeded** its goal of **98%**.

### **GOAL THREE**

The Commission's third goal is guaranteeing timely decisions by ensuring that once the final revocation hearing has been held, the Commission will render its decision within 90 days. In FY 1999-00, the baseline percentage of revocation cases voted within 90 days was 95%. In FY 2010-11, the percentage remains high at 99%. The Commission **achieved its goal** and will strive to maintain this high level of performance.

### **GOALS FOUR AND FIVE**

The Commission's new Goals Four and Five focus on ensuring informed decisions are made by placing RCR cases before the Board containing no factual errors. The Commission requested these goals and performance measures in response to the Board amending the Rules on March 9, 2011 which changed the policy governing the clemency process. Restoration of Civil Rights cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations.

The objective of these goals is to ensure that the Board has the most complete and accurate information with which to base their decisions pertaining to restoration of civil rights. "Complete information" means that staff has obtained or attempted to obtain all relevant information necessary for the Board to make an informed decision. "Accurate information" means that the information presented has been verified or there is a statement in the report or investigation as to the reason the information could not be verified. "Factual errors" are defined as an omission of information, reporting incorrect information, or incorrectly determining eligibility. These errors do not include typographical errors.

The Commission acknowledges the significance and importance of the RCR process and providing quality investigative reports. Utilizing performance measures allows the Commission to evaluate the error rate of RCR cases and to improve the process.

Errors are identified in Executive Orders and investigations for the various types of RCR cases reviewed. These errors are tabulated and expressed as a percentage of the total number of RCR cases that are placed before the Board. By providing complete and accurate information, the Board can make informed, accurate decisions.

The Commission addresses this priority by establishing clear policies and procedures, providing training, completing quality assurance (QA) reviews, and holding monthly RCR teleconferences.

This ensures that staff produces a quality work product by having the Commission provide clear direction as to what is expected in the performance of their duties. Training provides detailed instruction on the Rules and the correct procedures when conducting a clemency investigation. The QA reviews are conducted by regional administrators, supervisors, and central office staff. Monthly statewide clemency teleconferences address questions from the field staff, discuss policies and procedures, and allow Clemency Investigations staff the opportunity to discuss any relevant issues.

These two performance measures, the percent of RCR *Without a Hearing* cases provided to the Board containing no factual errors and the percent of RCR *With a Hearing* cases provided to the Board containing no factual errors, were approved by OPB in 2011, with FY 2011-12 determined to be the baseline year to begin the collection of this data.

# **FLORIDA PAROLE COMMISSION**

## **PERFORMANCE MEASURES AND STANDARDS LRPP EXHIBIT II**

## LRPP Exhibit II - Performance Measures and Standards

Department: Florida Parole Commission		Department No.: 78000000		
Program: Post-Incarceration Enforcement and Victims Rights		Code: 78010000		
Service/Budget Entity:		Code:		
Approved Performance Measures for FY 2011-12	Approved Prior Year Standard FY 2010-11	Prior Year Actual FY 2010-11	Approved Standards for FY 2011-12	Requested FY 2012-13 Standard
Number of parolees who have successfully completed their supervision without revocation within the first two years.	20	35	20	20
Percent of parolees who have successfully completed their supervision without revocation within the first two years.	85%	92%	85%	85%
Percent of revocation cases completed within 90 days after final hearing.	99%	99%	99%	99%
Percent of cases placed before the Parole Commission / Clemency Board containing no factual errors.	98%	99%	98%	98%
Number of conditional release/addiction recovery cases handled.	5,597	8,095	5,597	5,597
Number of revocation determinations.	2,000	1,772	2,000	2,000
Number of clemency cases completed.	65,000	30,565	12,000*	12,000*
Number of parole release decisions.	1,374	1,403	1,374	1,374
Number of victims assisted.	15,000	18,547	15,000	15,000
Percent of Level I application RCR automatic cases placed on executive orders to the Clemency Board containing no factual errors.	99%	100%	N/A**	N/A**
Percent of Level I RCR automatic cases placed on executive orders to the Clemency Board containing no factual errors.	99%	100%	N/A**	N/A**
Percent of Level II RCR automatic cases placed on executive orders to the Clemency Board containing no factual errors.	99%	100%	N/A**	N/A**
Percent of Level III RCR automatic cases placed on executive orders to the Clemency Board containing no factual errors.	99%	99%	N/A**	N/A**
Percent of RCR <i>With</i> a Hearing cases provided to the Clemency Board containing no factual errors.	N/A	N/A	99%***	99%***
Percent of RCR <i>Without</i> a Hearing cases provided to the Clemency Board containing no factual errors.	N/A	N/A	99%***	99%***

\* This number has been approved by OPB and revised to 12,000 for FY 2011-12 approved standards.

\*\* The Commission requested these four performance measures be deleted in response to the Board of Executive Clemency amending the Rules of Executive Clemency on March 9, 2011. OPB has approved the measures to be deleted.

\*\*\* The Commission requested these new performance measures in response to the Board of Executive Clemency amending the Rules of Executive Clemency on March 9, 2011. OPB has approved the measures and established the goal of 99% for FY 2011-12 approved standards.



# **FLORIDA PAROLE COMMISSION**

## **ASSESSMENT OF PERFORMANCE FOR APPROVED PERFORMANCE MEASURES**

### **LRPP EXHIBIT III**

**LRPP Exhibit III (1): PERFORMANCE MEASURE ASSESSMENT**

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Number of revocation determinations.

**Action:**

- |   |  |
|---|--|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure           | <input type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards                    |  |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
2,000	1,772	(-228)	12%

**Factors Accounting for the Difference:**

**Internal Factors** (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Personnel Factors                                   | <input type="checkbox"/> Staff Capacity              |
| <input type="checkbox"/> Competing Priorities                                | <input type="checkbox"/> Level of Training           |
| <input type="checkbox"/> Previous Estimate Incorrect                         | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem         |  |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission |  |

**Explanation:** Reducing the number of offenders returning back to prison is a positive result.

**External Factors** (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Resources Unavailable                               | <input type="checkbox"/> Technological Problems      |
| <input type="checkbox"/> Legal/Legislative Change                            | <input type="checkbox"/> Natural Disaster            |
| <input type="checkbox"/> Target Population Change                            | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem         |  |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission |  |

**Explanation:** The Department of Corrections is reporting less violations of supervision, which has caused a decrease in the number of revocations.

**Management Efforts to Address Differences/Problems** (check all that apply):

- |                                    |  |
|------------------------------------|--|
| <input type="checkbox"/> Training  | <input type="checkbox"/> Technology                  |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

**Recommendation:** Reducing the number of offenders returning back to prison is a positive result.

**LRPP Exhibit III (2): PERFORMANCE MEASURE ASSESSMENT**

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Number of Clemency Cases Completed.

**Action:**

- |   |  |
|---|--|
| <input type="checkbox"/> Performance Assessment of <u>Outcome</u> Measure           | <input type="checkbox"/> Revision of Measure |
| <input checked="" type="checkbox"/> Performance Assessment of <u>Output</u> Measure | <input type="checkbox"/> Deletion of Measure |
| <input type="checkbox"/> Adjustment of GAA Performance Standards                    |  |

Approved Standard	Actual Performance Results	Difference (Over/Under)	Percentage Difference
65,000	30,565	34,435	-47%

**Factors Accounting for the Difference:**

**Internal Factors** (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Personnel Factors                                   | <input type="checkbox"/> Staff Capacity              |
| <input checked="" type="checkbox"/> Competing Priorities                     | <input type="checkbox"/> Level of Training           |
| <input type="checkbox"/> Previous Estimate Incorrect                         | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem         |  |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission |  |

**Explanation:** Under competing priorities, the Commission is required by law to meet mandated statutory timeframes which dictates the Commission's workload priorities as clemency does not have delineated statutory timeframes.

**External Factors** (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Resources Unavailable                               | <input type="checkbox"/> Technological Problems      |
| <input type="checkbox"/> Legal/Legislative Change                            | <input type="checkbox"/> Natural Disaster            |
| <input type="checkbox"/> Target Population Change                            | <input checked="" type="checkbox"/> Other (Identify) |
| <input type="checkbox"/> This Program/Service Cannot Fix the Problem         |  |
| <input type="checkbox"/> Current Laws Are Working Against the Agency Mission |  |

**Explanation:** The Board amended the Rules on March 9, 2011. Prior to these Rule changes, the majority of RCR Without a Hearing cases took .9 hours to complete. These cases were eliminated by the Rule change. Under the amended Rules, RCR cases take longer to complete. RCR cases Without a Hearing take 5.1 hours and RCR cases With a Hearing take 13.8 hours to complete. This will result in a decrease in the number of RCR cases completed.

**Management Efforts to Address Differences/Problems** (check all that apply):

- |                                    |  |
|------------------------------------|--|
| <input type="checkbox"/> Training  | <input type="checkbox"/> Technology                  |
| <input type="checkbox"/> Personnel | <input checked="" type="checkbox"/> Other (Identify) |

**Recommendations:** OPB has approved the standard of 12,000 cases for FY 2011-12.

# **FLORIDA PAROLE COMMISSION**

## **PERFORMANCE MEASURES VALIDITY AND RELIABILITY LRPP EXHIBIT IV**

## LRPP EXHIBIT IV (1): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of RCR *Without a Hearing* cases provided to the Clemency Board containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. The measure was approved by OPB in 2011 with a standard of 99%, with the baseline to be determined in FY2011-12.

### **Data Sources and Methodology:**

The Commission's clemency database will be used to obtain the total number of cases completed. The methodology is the total number of errors divided by the total number of RCR *Without a Hearing* cases provided to the Board.

### **Validity:**

This indicator is a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

## LRPP EXHIBIT IV (2): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of RCR *With a Hearing* cases provided to the Clemency Board containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. The measure was approved by OPB in 2011 with a standard of 99%, with the baseline to be determined in FY2011-12.

### **Data Sources and Methodology:**

The Commission's clemency database will be used to obtain the total number of cases completed. The methodology is the total number of errors divided by the total number of RCR *With a Hearing* cases provided to the Board.

### **Validity:**

This indicator is a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

### LRPP EXHIBIT IV (3): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of Level I automatic application cases placed on executive orders to the Clemency Board containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure be deleted in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. This measure was approved to be deleted by OPB in 2011.

**Data Sources and Methodology:**

The Commission's clemency database was used to obtain the total number of cases completed. The methodology was the total number of errors divided by the total number of Level 1 automatic application cases placed on Executive Order to the Board.

**Validity:**

This indicator was a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

## LRPP EXHIBIT IV (4): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of Level I automatic electronic cases placed on Executive Orders to the Clemency Board containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure be deleted in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. This measure was approved to be deleted by OPB in 2011.

### **Data Sources and Methodology:**

The Commission's clemency database was used to obtain the total number of cases completed. methodology was the total number of errors divided by the total number of Level 1 automatic electronic cases placed on Executive Order to the Board.

### **Validity:**

This indicator was a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.



## LRPP EXHIBIT IV (5): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of Level II cases provided to the Clemency Board on Preliminary Review List containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure be deleted in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. This measure was approved to be deleted by OPB in 2011.

### **Data Sources and Methodology:**

The Commission's clemency database was used to obtain the total number of cases completed. The methodology was the total number of errors divided by the total number of Level II cases provided to the Board on Preliminary Review List containing no factual errors.

### **Validity:**

This indicator was a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

## LRPP EXHIBIT IV (6): Performance Measure Validity and Reliability

**Department:** Florida Parole Commission

**Program:** Adult Prisons

**Service/Budget Entity:** Post Incarceration Enforcement and Victims' Rights

**Measure:** Percent of Level III cases provided to the Clemency Board for hearing containing no factual errors.

**Action** (check one):

- Requesting revision to approved performance measure.
- Change in data sources or measurement methodologies.
- Requesting new measure.
- Backup for performance measure.

The Commission is requesting this measure be deleted in response to the Board amending the Rules on March 9, 2011, which changed the policy governing the clemency process. RCR cases are now categorized as RCR *Without a Hearing* and RCR *With a Hearing* investigations. This measure was approved to be deleted by OPB in 2011.

### **Data Sources and Methodology:**

The Commission's clemency database was used to obtain the total number of cases completed. The methodology was the total number of errors divided by the total number of Level III cases provided to the Board for a hearing containing no factual errors.

### **Validity:**

This indicator was a valid measure of the percent of cases placed before the Board containing no factual errors.

**Reliability:** Comes directly from the clemency database. This measure consistently yields the same results and is free from random errors.

# **FLORIDA PAROLE COMMISSION**

## **ASSOCIATED ACTIVITIES CONTRIBUTING TO PERFORMANCE MEASURES**

### **Exhibit V**

**LRPP Exhibit V: Identification of Associated Activity Contributing to Performance Measures**

<b>Measure Number</b>	<b>Approved Performance Measures for FY 2011-2012</b>		<b>Associated Activities Title</b>
1	Number of parolees who have successfully completed their supervision without revocation within the final two years.		(1) Offender Revocations (2) Parole Determinations
2	Percentage of parolees who have successfully completed their supervision without revocation within the final two years.		(1) Offender Revocations (2) Parole Determinations
3	Percentage of revocation cases completed within 90 days after final hearing.		(1) Offender Revocations
4	Percentage of cases placed before the Parole Commission/Clemency Board containing no factual errors.		(1) Offender Revocations (2) Parole Determinations (3) Clemency Services (4) Conditional Release
5	Number of conditional release/addiction recovery cases handled.		(1) Conditional Release
6	Number of revocation determinations.		(1) Offender Revocations
7	Number of Clemency Cases completed.		(1) Clemency Services
8	Number of Parole Release Decisions.		(1) Parole Determinations
9	Number of Victims Assisted.		(1) Clemency Services (2) Parole Determinations
10	Percent of RCR With a Hearing cases provided to the Clemency Board containing no factual errors.		(1) Clemency Services
11	Percent of RCR Without a Hearing cases provided to the Clemency Board containing no factual errors.		(1) Clemency Services

PAROLE COMMISSION	FISCAL YEAR 2010-11			
SECTION I: BUDGET	OPERATING			FIXED CAPITAL OUTLAY
TOTAL ALL FUNDS GENERAL APPROPRIATIONS ACT			8,206,191	0
ADJUSTMENTS TO GENERAL APPROPRIATIONS ACT (Supplementals, Vetoes, Budget Amendments, etc.)			145,653	0
FINAL BUDGET FOR AGENCY			8,351,844	0
SECTION II: ACTIVITIES * MEASURES	Number of Units	(1) Unit Cost	(2) Expenditures (Allocated)	(3) FCO
Executive Direction, Administrative Support and Information Technology				
CONDITIONAL RELEASE/ Number of Conditional & Addiction Recovery Release Cases Handled	8,095	89.05	720,883	
OFFENDER REVOCATIONS/Number of Revocation Determinations	1,772	1,356.06	2,402,943	
CLEMENCY SERVICES/Number of clemency cases handled	30,565	114.13	3,488,354	
PAROLE DETERMINATIONS/Number of parole/conditional medical release decisions	1,403	1,027.63	1,441,774	
<b>TOTAL</b>				
SECTION III: RECONCILIATION TO BUDGET				
PASS THROUGHGS			0	
TRANSFER - STATE AGENCIES			0	
AID TO LOCAL GOVERNMENTS			0	
PAYMENT OF PENSIONS, BENEFITS AND CLAIMS			0	
OTHER			0	
REVERSIONS			297,900	
Total Budget for Agency (Total Activities + Pass Throughs + Reversions)			\$8,351,844	
<b>SCHEDULE XI/EXHIBIT VI: AGENCY-LEVEL UNIT COST SUMMARY</b>				

## ~GLOSSARY OF TERMS~

**Addiction Recovery Supervision:** A program of mandatory post prison supervision for persons released from a state correctional facility who were convicted of a crime committed on or after July 1, 2001, and have a history of substance abuse or addiction or have participated in any drug treatment, and have not been convicted of a disqualifying offense.

**Capital Case:** A case in which an inmate has been sentenced to death and the Governor's Office has requested Clemency Investigations to review, update, or conduct an interview of the inmate and prepare an in-depth investigation for consideration of the signing of a death warrant or commutation of sentence to life.

**Clemency Pending Case:** A clemency case received by the Office of Executive Clemency and the Florida Parole Commission that is moving through some stage of the eligibility determination or investigation process and/or is awaiting final action by the Clemency Board.

**Clemency Board:** Comprised of the Governor and members of the Florida Cabinet: the Attorney General; the Chief Financial Officer; and the Commissioner of Agriculture and Consumer Services.

**Clemency Investigation:** A background investigation conducted by a parole examiner to determine those persons requesting clemency who should be considered for any form of clemency by the Governor and Cabinet sitting as the Executive Clemency Board.

**Conditional Medical Release:** The release of an inmate referred by the Department of Corrections, who has been found to be terminally ill or permanently incapacitated, and does not pose a danger to himself/herself or others.

**Conditional Release:** The release of a statutorily eligible inmate to community supervision at the expiration of her/his prison term, less any gain time allotments. The releasee serves the balance of time remaining on their maximum sentence under community supervision. An inmate must have been convicted of certain crimes, and must have had a prior state or federal prison term; or have been found to be a Habitual Offender, Violent Habitual Offender, Violent Career Criminal, or Sexual Predator to be eligible for conditional release.

**Control Release:** The release of a statutorily eligible inmate prior to the expiration of the inmate's sentence which is required to maintain the prison population within its lawful capacity.

**Final Hearing:** A fact-finding *quasi-judicial* hearing by the Commission's authorized representatives for the purpose of determining whether a releasee has violated the conditions of release; and if so, what recommendation should be made to the Commission.

**Inmate:** An individual sentenced to a term of at least one year and a day or more of incarceration in a Department of Corrections' Institution.

**Objective Parole Guidelines:** A predictive parole risk assessment established to ensure uniformity and equity of the parole process, while combining historical decision-making experience with individual case elements.

**Parole:** With the implementation of sentencing guidelines in October 1983, parole was abolished and remained applicable for: inmates who elected to be sentenced outside the guidelines prior to July 1, 1984; inmates convicted of committing either first degree murder or making, possessing, throwing, projecting, placing or discharging any destructive device or attempting to do so if the act resulted in the death of another person prior to May 25, 1994; and inmates who committed all other capital felonies prior to October 1, 1995. Capital felonies require a minimum mandatory service of 25 years before becoming eligible for an initial parole interview.

**Parole Examiner:** An employee of the Commission responsible for conducting Parole, Clemency and Revocations investigations, holding revocation hearings, and preparing reports for Commission and Board review.

**Releasee:** An offender who has completed her/his prison term and has been released to a program of Control Release, Conditional Release, Parole, Conditional Medical Release, or Addiction Recovery Supervision.

**Restitution:** A special condition of release, whereby the releasee is required to make payments to the victim of the crime.

**Restoration of Civil Rights (RCR)/Without a Hearing case:** Investigations where the offender, depending on the offense of conviction, is eligible for consideration only after five (5) years have passed since the date of completion of all sentences, conditions of supervision imposed for all felony convictions, and if no crimes have been committed and have not been arrested for a misdemeanor or felony for the five (5) years prior to the date the application is being reviewed.

**Restoration of Civil Rights (RCR)/With a Hearing case:** Investigations where an offender with more serious offenses are eligible for consideration only after seven (7) years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions.

**Special Condition:** A condition of release that addresses a specific aspect of a releasee's behavior.

**Request for Review:** A request to waive the Board Rules by an individual seeking a commutation of sentence when the individual does not meet the eligibility requirements. A Request for Review hearing may be held to allow the individual's request to be considered by the Board.