State of Florida Department of Juvenile Justice

Wansley Walters, Secretary



Office of the Inspector General

FISCAL YEAR 2011-2012 ANNUAL REPORT

Mark Perez
Interim Inspector General

TABLE OF CONTENTS

INTRODUCTION/CHARTER OF OPERATIONS	1
RESPONSIBILITIES	2
ORGANIZATION	3
Organization and Staff	4
Staff Certifications	5
BUREAU OF INTERNAL AUDIT	6
Accomplishments	6
Compliance and Performance Audit	6
Enterprise Project	7
Florida Enterprise Information Security Risk Assessment Survey Review	8
Internal and External Audit Follow-up Activities	8
Other Activities	8
BUREAU OF INVESTIGATIONS	9
Accomplishments	9
Summary of Investigations	10
Classification of Investigations	15
Categorization of Investigations/Inquiries_	16
Disciplinary Actions	17
CENTRAL COMMUNICATIONS CENTER	17
Accomplishments and Statistical Data	18
Incidents Assigned for Review or Investigation	19
BACKGROUND SCREENING UNIT	19
Statistical Data	21
STAFF DIRECTORY	22
CONTACT INFORMATION	23

Office of Inspector General

Department of Juvenile Justice
Annual Report for Fiscal Year 2011 - 2012

CHARTER OF OPERATIONS

Agency Mission

To increase public safety by reducing juvenile delinquency through effective prevention, intervention and treatment services that strengthen families and turn around the lives of troubled youth.

Office of the Inspector General's Vision

Enhancing Public Trust in Government

Office of the Inspector General's Mission

Provide independent oversight, through objective and timely investigative services, to ensure the Florida Department of Juvenile Justice and its partners maintain the highest level of integrity, accountability and efficiency.

Core Values

- Leadership
- Professionalism
- Integrity
- Excellence
- Accountability
- Communication
- Teamwork

Purpose

The purpose of the DJJ OIG is to provide a central point for coordination of, and responsibility for, activities that promote accountability, integrity and efficiency in government, and to conduct independent and objective audits, investigations, and reviews relating to the programs and operations of the Department of Juvenile Justice. The Office of Inspector General assists the Department in the accomplishment of its objectives by promoting economy and efficiency, and in preventing and detecting fraud and abuse in its programs and operations.

Authority

The DJJ OIG reports directly to the Secretary of the Department. The authority of the DJJ OIG, outlined in Section 20.055, Florida Statutes, allows for full, free, and unrestricted access to all persons, records, and other information relevant to the performance of engagements.

Responsibilities

The DJJ OIG is statutorily assigned specific duties and responsibilities for its audit and investigation functions. Section 20.055(2), Florida Statutes, requires the appointment of an Inspector General by the agency head and specifies the Inspector General's responsibilities.

The OIG's responsibilities include:

- Promotes economy and efficiency in agency programs and operations, and to prevent and detect fraud and abuse;
- Providing direction for and coordinating audits, investigations, and management reviews relating to the programs and operations of the agency;
- Recommends corrective action concerning fraud, abuses, weaknesses, and deficiencies and report on the progress made in implementing corrective action;
- Advise in the development of performance measures, standards, and procedures for the evaluation of agency programs; reviewing actions taken by the agency to improve program performance and meet program standards; and
- Ensuring an appropriate balance is maintained between audit, investigations, and other accountability activities.

The Inspector General is required by statute to provide the agency head an annual report by September 30 each year summarizing the activities of the OIG during the immediate preceding state fiscal year. This document, which is presented to the DJJ Secretary, provides information to departmental staff and other interested parties on how the OIG accomplishes its mission.

Independence and Objectivity

The OIG's activities shall be independent and the OIG staff shall be objective in performing their work. The Inspector General reports to the Secretary and will not be subject to supervision by any other employee of the Department to ensure that audit, investigative, and other activities remain free from interference in the determination of the scope of activities, performance of work, and communication of results. ¹According to standards, the OIG shall refrain from participating in any operational activities that it might be expected to review or appraise or that could otherwise be construed to compromise the independence and objectivity of the OIG.

Scope of Work

The scope and assignment of the activities shall be determined by the Inspector General. However, the Secretary of the Department may at any time direct the Inspector General to perform an audit, investigation or review of a special program, function, or organizational unit. The scope of work is to determine whether the department's risk management control, and governance processes are adequate and functioning in a manner to ensure risks are appropriately identified and managed; significant financial, managerial, and operating information is accurate, reliable, and timely; resources are acquired economically, used efficiently and adequately protected; programs, plans, and objectives are achieved; quality and continuous improvement are fostered in the organization's control process; and significant legislative or regulatory issues impacting the department are recognized and addressed appropriately.

¹ Section 20.055(3)(b), Florida Statutes

Professional Standards

The Office of Inspector General will follow appropriate professional standards in fulfilling its responsibilities. These include the *International Standards for the Professional Practice of Internal Auditing* and the *Code of Ethics* of the Institute of Internal Auditors, Inc., *Generally Accepted Governmental Auditing Standards* issued by the Comptroller General of the United States, and applicable standards from the Association of Certified Fraud Examiners, and the State of Florida Auditor General's Rules.

Periodic Assessment

The Inspector General shall periodically assess whether the purpose, authority, and responsibility, as defined in the charter, continue to be adequate to enable the OIG activities to accomplish its objectives to assist the Department in the accomplishment of its objectives.

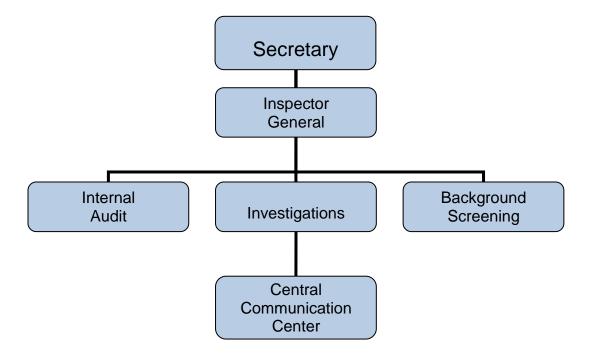
Historic Overview

The term "inspector general" historically has been associated with maintaining and improving the operational efficiency of our nation's armed forces. In the 1970's, Congress adopted the idea and created civilian inspectors general to address fraud, waste, abuse and corruption in federal agencies.

An audit function was established in the Department in the 1960's. This function evolved into audits and investigations and, in the 1980's it was designated as the Office of Inspector General. In 1994, amendments to Section 20.055, F.S., required an OIG in each state agency.

Organization

The DJJ OIG is staffed with 30 full-time employees and 11 Other Personal Services employees under the direction of the Inspector General. The organizational structure for the OIG is as follows:



Organization and Staff

The Office of Inspector General has four main operating functions: The Bureau of Internal Audit (BIA), the Bureau of Investigations, the Central Communication Center (CCC), and the Background Screening Unit (BSU).

In order to maximize efficiency and accomplish its mission, the OIG has organized the office as shown in the chart below:

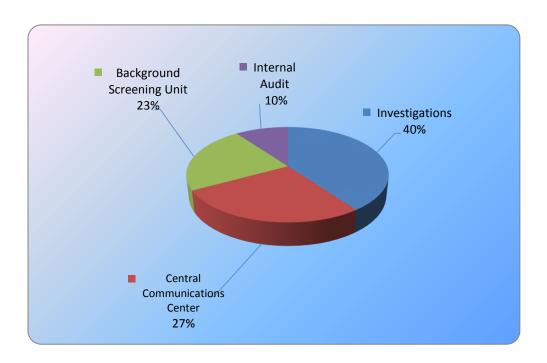
Bureau of Internal Audit (BIA): This function provides independent appraisals of the performance of department programs and processes, including the appraisal of management's performance in meeting the department's information needs while safeguarding its resources.

Bureau of Investigations: This function works to deter, detect and investigate crimes or misconduct impacting the department.

Central Communications Center (CCC): This section provides 365-day a year incident/complaint hotline coverage. The CCC provides information to DJJ to assist in maintaining a safe environment for the treatment and care of youth in department programs.

Background Screening Unit (BSU): The BSU assists the department in meeting its goal of hiring applicants who meet statutory and agency standards of good moral character by conducting background screenings pursuant to Chapters 39, 435, 984, and 985, Florida Statutes, and the Department's background screening policy and procedure.

STAFF RESOURCES



Staff Certifications

Expertise within the OIG covers a variety of disciplines with employees being technically qualified in auditing, accounting, investigations, background screening, and information technology. Staff members continually seek to augment their professional credentials, further enhancing their abilities and the contributions they make. Additionally, staff members participate in a number of professional organizations to maintain proficiency in their profession and areas of certification.

The accomplishments of the staff in obtaining professional certifications represent significant time and effort by each staff member, reflecting positively on the individual as well as the Department.

The table below details the number of advanced degrees/certifications held in the OIG.

Degrees/Certifications	No.
Certified Internal Auditor	3
Certified Government Audit Professional	1
Certified Public Accountants	2
Certified Inspector General	2
Certified Inspector General Investigator	13
Certified Public Manager	5
Certified Fraud Examiner	4
Certified in FDLE Criminal Justice Information Services	9
Certified FDLE Terminal Agency Coordinator	1
Certified by the Equal Employment Opportunity Commission	1
Notary Public	13

Staff Affiliations

American Institute of Certified Public Accountants Institute of Internal Auditors, Inc. (National and Local Chapters) Association of Certified Fraud Examiners The Association of Inspectors General (National and Local Chapters) The Florida Audit Forum

Staff Development

During FY 2011-2012, DJJ OIG staff participated in a variety of professional trainings including courses to meet the Government Auditing Standards (GAS) requirements. GAS standards require each auditor, every two years, to complete at least 80 hours of continuing education and training that contributes to the auditor's professional proficiency. The OIG staff remains committed to seeking professional excellence through training and development to improve and expand the products we can offer and to ensure high quality service to our customers.

Bureau of Internal Audit

The Bureau of Internal Audit, under the direction of the Inspector General, assists the Secretary and the Department in deterring and detecting fraud, waste and abuse and provides assurance that the department uses its resources in an efficient and effective manner.

The Bureau of Internal Audit carries out its function for the Department under the leadership of the Director of Audits who reports to the Inspector General. The bureau's staff is composed of an Audit Director, one Operation Review Specialist, and two Management Review Specialists (Senior Auditors).

Audit Responsibilities

Pursuant to section 20.055(5), Florida Statutes, the bureau conducts performance, information technology, financial and compliance audits of the Department and prepares reports of its findings and recommendations. Audits are performed in accordance with the Standards for the Professional Practice of Internal Auditing, published by the Institute of Internal Auditors. An audit involves obtaining an understanding of internal control structure; assessing control risk; testing of records and responses of inquiries by obtaining corroborating evidentiary matter through inspection, observation, confirmation and other procedures.

In addition to audits, the bureau performs non-audit services, such as special projects, and provides other management advisory and consultant services to the Department.

The Institute of Internal Auditors defines internal auditing as an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

Accomplishments for FY 2011-2012

During the fiscal year, the Bureau of Internal Audit completed major audits, reviews and projects consisting of the following:

- One compliance and performance audit;
- One Enterprise audit project;
- One Enterprise Information Security Risk Assessment Survey review;
- Four follow-up reviews to internal audits;
- Various management advisory projects and coordination with Auditor General audits;
- Various investigation assistances.

Compliance and Performance Audit

A compliance audit is a comprehensive review of the Department's adherence to state laws, regulatory guidelines, and the Department's policy and procedures. Performance audits are examinations and evaluations of the Department's systems, programs, and processes from an efficiency and effectiveness perspective. Performance audits also include determining whether the Department acquired, protected, and used its resources economically and efficiently in accordance with applicable laws and regulations.

The Bureau completed a comprehensive audit which involved both compliance and performance activities.

Audit of Detention Health Services

All detention centers are required to provide health care services to the youth within their facilities. These services include primary and preventative care, sick call and episodic care, and

management of acute and chronic medical issues and follow up. Youth receive an initial health screening and evaluation and a comprehensive physical examination. Infection control measures and the Occupational Safety and Health Administration standards are implemented, in accordance with state and federal requirements. Medications are provided to youth as prescribed. Health education is provided to youth on a variety of topics, including HIV prevention, sexually transmitted Infections, medications and adolescent girls' health. Transitional health care planning is provided for youth with chronic or outstanding medical or mental health conditions, and all youth who are prescribed medications that are being released or transferred to another detention center or residential program.

The audit objectives were to determine whether:

- Healthcare services were provided to the youths as required by laws, rules, and contracts;
- Sufficient oversight of medical services was in place; and,
- Medical emergencies were responded to properly.

The audit revealed that, overall, healthcare services in detention centers were provided to youths as required by law, rules, and the Health Services Manual; certain level of medical services oversight was in place to ensure the quality of the services; and medical emergencies were properly responded to. However, the audit indicated that the following areas of healthcare services provided to youths in detention centers need improvement:

- Conducting timely comprehensive physical assessments;
- · Managing medical records; and,
- Maintaining proper medication inventory control and security

Enterprise Project

A study comparing all agency audit plans found many of the audit topics were common across agencies. If a topic is common to all agencies work would be duplicated by every agency undertaking the project. To address these common topics in state agencies, the Executive Office of the Governor, Office of the Chief Inspector General initiated an enterprise audit project. Internal Audit participated the audit project.

Audit of Contract/Grant Monitoring

The objectives for this enterprise audit were to: (1) determine if contract monitoring policies and procedures were in compliance with state laws, rules, and other regulatory requirements; (2) assess the adequacy of contract manager training and development; (3) identify potential best practices by evaluating contract monitoring processes; and (4) evaluate standard and template contract documents to determine if they were sufficient and include required information.

The audit indicated that DJJ's contract monitoring policies and procedures were generally in compliance with state laws, rules, and other regulatory requirements; contract manager training was generally adequate; and standard contract documents were sufficient and included required information. The audit also identified some of the department's contract management and monitoring practices as potential best practices and those practices will possibly be included in a roll-up report issued by the Office of Chief Inspector General.

The audit found that there were no reportable findings related to the audit objectives. We did note that improvements could be made to track contract management training required by Florida Statutes.

Florida Enterprise Information Security Risk Assessment Survey Review

Florida Statues requires agencies to conduct a comprehensive information security risk analysis every three years to determine the threats to Department data and information technology resources. The 2011 Florida Enterprise Information Risk Assessment Survey was developed to assist agencies with the risk analysis. The survey provided a method to evaluate the Department's information security program policies and procedures.

The Department Information Security Manager completed the survey and provided the responses to Internal Audit for review. Based on Florida Statutes, rules, and department policies and procedures, Internal Audit completed the review and provided recommendations to the Information Security Manager for the Department's 2011 Florida Risk Assessment Mitigation Project Plan.

Internal and External Audit Follow-Up Activities

The bureau is responsible for monitoring the Department's implementation of corrective action to address recommendations in audit reports and policy reviews issued by the Auditor General (AG), the Office of Program Policy Analysis and Government Accountability (OPPAGA), and the department's Bureau of Internal Audit. The bureau provided liaison activities for AG operational audits and federal grant audits, and conducted follow-ups to monitor the status of corrective actions for several external and internal audits/reviews. The bureau issued the following follow-up review reports:

- Follow-up on the Audit of Community Based Conditional Release Program;
- Follow-up on the Audit of Probation Case Management;
- Follow-up on the Audit of Finance & Accounting Contracts/Grants Payments Processing;
- Follow-up on the Audit of Maximum-risk Residential Programs.

Other Activities

The Florida Single Audit Act

The Florida Single Audit Act (FSAA) was enacted in 1998 by the Florida Legislature to establish uniform State audit requirements for non-state entities expending State financial assistance equal to or in excess of \$500,000. The bureau responded to the Department of Financial Services on behalf of the agency and coordinated compliance efforts. This included providing technical assistance, meetings, inter-agency correspondence and liaison activities. The bureau is responsible for reviewing the Financial Reporting Packages received from non-state entities to ensure compliance with the Florida Single Audit Act and the Federal Office of Management and Budget (OMB) Circular A-133, including management letters and corrective action plans, to the extent necessary to determine whether timely and appropriate correction has been taken with respect to audit findings and recommendations pertaining to state and federal financial assistance. The bureau has implemented new policies and procedures to ensure compliance with the Florida Single Audit Act.

Communication with Management

The Office of Inspector General (OIG) provides a centralized point for coordination of activities that promote accountability, integrity and efficiency. A major part of this responsibility includes keeping management informed of the many internal and external audits and related activities. The bureau also reviews the Department's response to external audit reports.

Bureau of Investigations

Investigations

The OIG Bureau of Investigations (Investigations) assists the Department in ensuring the promotion of accountability, integrity, and efficiency within the agency. In addition, Investigations assists in ensuring only those persons who meet statutory and Departmental standards for good moral character are selected to provide for the custody, care, safety, and protection of those youths entrusted to our supervision.

Investigative Unit

The investigative unit is charged with the responsibility of coordinating and conducting investigations designed to detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct, and other abuses within DJJ, involving both state and contract provider employees, programs, facilities, and offices. All investigative activities are objective and unbiased. Inspectors submit detailed investigative reports, which include sworn statements and documentary evidence. The Inspector General reviews all completed cases for sufficiency and accuracy before signing and disseminating the final report. Investigations containing substantiated allegations are forwarded to management, which is responsible for implementing corrective action and reporting it to the OIG.

The OIG Chief of Investigations and the Inspector General review completed civil rights cases; however, a resolution panel presided over by the department's Equal Employment Opportunity (EEO) officer determines whether there is cause to believe either discrimination or harassment occurred. The Bureau of Investigations does not make recommendations concerning corrective action for EEO complaints.

In December 2007, to address the considerable number of incidents assigned to management, the Office of the Inspector General, working with department leadership established the Administrative and Program Review process. The purpose of this process is to ensure that all incidents warranting follow-up attention that do not rise to the level of an OIG investigation are assigned for review. Administrative Reviews are conducted by thirteen department staff assigned to the Office of Program Accountability, Administrative Review Unit to look at incidents that routinely occur in department programs. Program Reviews are conducted by state and provider operated program staff to look at routine incidents that are the least serious in nature, but still warrant follow-up. In both instances, designated staff attend OIG Program/Administrative Review training to learn basic investigative procedures. The results of these reviews are completed in the CCC database and are approved by the department's Assistant Secretaries.

Accomplishments for FY 2011-2012

During FY 2011-2012, the Bureau of Investigations assigned 69 complaints for Investigation, Inquiry, Referral to Management or other appropriate attention.

The Bureau of Investigations closed 49 investigations in fiscal year 2011-2012. Some of these investigations had multiple allegations. The total allegations investigated during this period were 262. Of the allegations investigated 61 were substantiated, 62 were unsubstantiated, and 121 were found to be inconclusive. The remaining 18 were administratively closed, referred to another agency, or had been previously investigated.

The Bureau of Investigations closed 11 inquiries in fiscal year 2011-2012. Some of these inquiries have multiple allegations that were investigated. The total allegations investigated through inquires was 13. Of these allegations, 4 were substantiated, 2 were unsubstantiated, and 3 were inconclusive. The remaining 4 allegations were administratively closed.

Substantiated findings are reported to management and may result in terminations, resignations, and other disciplinary and non-disciplinary actions, as well as programmatic changes.

Summary of Investigations

2011-2012 Annual Report Summaries

IG 10-0064/Prodigy Cultural Arts Program (Prodigy)

This investigation was predicated on an allegation of waste and potential fraud by University Area Community Development Corporation, which operates Prodigy and other programs. The allegation further alleged that the organization was not meeting or using the required performance matrixes to attain funding. Prodigy is a contracted prevention program. Based on interviews conducted and records reviewed, the allegations of Criminal Statute Violation, Falsification, Other/Violation of Florida Statute, Violation of Contract, and Violation of Policy/Rule were unsubstantiated. The allegations of other/Violation of Florida Statute and Violation of Contract were inconclusive. The allegations of other/Violation of Statute and Violation of Contract were substantiated.

IG 11-0017/Brevard Regional Juvenile Detention Center

This investigation was predicated upon notification from the Department's Equal Opportunity Office (EEO) that a female Juvenile Justice Detention Officer (JJDO) alleged she was sexually harassed by her male JJDO supervisor after he allegedly exposed his penis to her in the supervisor's office and made sexual remarks to her. Brevard Regional Juvenile Detention Center is a state operated detention facility. The EEO Panel found "No Cause" for sexual harassment but substantiated Improper Conduct and Conduct Unbecoming a Public Employee for the initial JJDO and a second female JJDO, and inconclusive for third female JJDO. The JJDO Supervisor was terminated.

IG 11-0018/CCC 2011-00936 Southwest Florida Regional Juvenile Detention Center (SWFRJDC)

This investigation was predicated on a complaint from an adult female who alleged that while she was a minor and detained at the Southwest Florida Regional Juvenile Detention Center (SWFRJDC), a facility Juvenile Justice Detention Officer (JJDO) engaged in a romantic relationship with her and she subsequently became pregnant with his child. The complainant said that after her release from the detention center she married the officer and gave birth to his child but the relationship ended in divorce. She said she became pregnant with his child while under DJJ supervision, which was unlawful and alleged that administrators from the detention center knew of the relationship at the time and failed to take appropriate action against the officer or to notify her parents. Had this been done she would have been spared this emotional heartbreak. Investigation of these allegations showed detention center administrators questioned the JJDO at the time concerning a potential romantic or inappropriate relationship with the formerly detained youth/complainant. The JJDO immediately submitted his resignation without answering any questions. The youth/complainant acknowledged being contacted at the time by the detention center superintendent and lying to him concerning her relationship with the JJDO. The OIG investigation substantiated the former JJDO engaged in improper conduct/staff-youth relationship, a violation of policy/rule, while the youth/complainant was still under DJJ supervision. The allegation that program administrators failed to report or take appropriate action was closed as inconclusive. The facts of the investigation were presented to the Ft. Myers Police Department who conducted a criminal investigation. The State Attorney's Office declined to prosecute the matter citing reasonable doubt as to when the complainant actually became pregnant by the former JJDO and whether the former JJDO was still an employee of the SWFRJDC at the time.

IG 11-0021/Crestview Sex Offender Program

This investigative inquiry was predicated on an allegation staff used excessive force and restrained a youth in a manner the youth alleged was sexual in nature. Based on documentation reviewed and interviews conducted the allegations of sexual misconduct were unsubstantiated. The allegation of excessive force was inconclusive. The subject staff resigned during the investigation.

IG 11-0022/CCC 2011-021264 Hastings Moderate Risk

This investigation was predicated upon a report to the CCC from the facility's risk manager that the account manager reported she lost the memory card for the facility's camera which contained pictures of several youths and their family members taken during a special event. Hastings Moderate Risk is a contracted residential program. The investigation showed the subject accidently left the memory card at

the Wal-Mart photo lab when she was developing the pictures and attempts to locate the card were unsuccessful. A violation of Policy/Rule/Statute (Confidentially) was partially substantiated. The facility revised their policy concerning confidentiality of records.

IG 11-0023/Management Information Systems (MIS) Office

This investigative inquiry was predicated on an allegation that staff was arrested by the Tallahassee Police Department for Stalking and Burglary. An inquiry was assigned to determine if staff misused any DJJ or State resources in conducting the alleged actions. MIS is a state operated program area of the DJJ. Based on documentation reviewed and interviews conducted there was no evidence to indicate staff inappropriately used any DJJ or State resources. As a result of the findings, no action was necessary; however, staff was terminated prior to the close of the case based on unrelated circumstances.

IG 11-0025/Okaloosa Borderline Developmental Disability Program

This investigation was predicated on an allegation that a male youth was PAR restrained by staff when the youth attempted to fight another youth on the recreation yard. Subsequently, the youth complained of pain in his left shoulder, which was later diagnosed as an acromioclavicular separation. Based on documentation reviewed and interviews conducted the allegations of Excessive Force and Violation of Policy/Rule were unsubstantiated. As a result of the findings, no action was necessary.

IG 11-0037/CCC 2011-01855 Lake Academy

Investigation of this case was initiated based on a report to the CCC of a youth sustaining a fractured arm during a Protective Action Response (PAR) incident at the Lake Academy. During the course of the investigation the youth alleged the Assistant Facility Administrator (AFA) refused to allow her to make a phone call to the abuse registry. OIG staff reviewed all program documentation, recorded video, and conducted interviews with the victim youth, an additional program youth and three staff regarding their direct knowledge of the incident. The facility internal investigation could not conclusively determine the youth's injury was a result of the PAR restraint. The OIG investigation determined an allegation of excessive force was inconclusive as the youth stated she fell forward on her bed with the restraining staff member and felt the bone in her arm pop out of place. An attending Pediatric Orthopedic Surgeon stated he could not determine by a review of the x-ray how the injury was incurred. The allegation of refusing to allow the youth to make a phone call to abuse registry was closed as inconclusive because the alleged witnessing youth did not corroborate the complaining youth's version of the incident.

IG 11-0041/Crestview Sex Offender Program

This investigation was predicated on an allegation that a male youth was PAR restrained by staff when the youth attempted to recover seized contraband from staff during a search of the youth's room. Subsequently, the youth was diagnosed with a fractured nose. On being medically evaluated it was determined that the fracture may have been from a previous non-PAR related incident. As there was no clear account from independent testimony or evidence of how youth sustained the injury, or if this was a case of re-injuring a previous fracture, OIG staff could not determine conclusively if there was an incident of excessive force or policy/rule violation the case was closed with a finding of inconclusive.

IG 11-0046/Twin Oaks Academy II

This investigation was predicated on a complaint from a male youth who alleged that staff restrained and threw him against a wall several times subsequently breaking his front left tooth and causing several scratches to his face. Twin Oaks Academy is a DJJ contracted residential program. Based on documentation reviewed and interviews conducted the allegation of Unnecessary Force and Violation of Policy/Rule was unsubstantiated. As a result of the findings, no action was necessary.

IG 11-0047/Manatee Regional Juvenile Detention Center

This investigation was predicated on a grievance filed with the Department's Equal Employment Opportunity (EEO) office which alleged a male staff member at the facility made inappropriate sexual remarks and lewd gestures to the female complainant. The allegation of Violation of Policy/Rule (Sexual Harassment) was presented to an EEO Resolution Panel which found No Cause to support the allegation of Sexual Harassment but found Cause to believe other misconduct (Conduct Unbecoming a Public

Employee) occurred. Subject staff admitted to making inappropriate remarks to complainant. A finding of Conduct Unbecoming a Public Employee was substantiated against the subject employee.

IG 11-0049/Office of Personnel

This investigative inquiry was predicated on an anonymous complaint from an employee who alleged mismanagement, vindictiveness, and nepotism by management staff offices. Additionally, it was reported that there were oil crosses inscribed on the doorframes of staff offices. The Office of Personnel is a program area under Administrative Services of DJJ. Based on documentation reviewed and interviews conducted the allegation of Improper Conduct, Nepotism, and Violation of Policy/Rule was unsubstantiated. OIG staff determined there was insufficient information to determine who made the oil crosses and the intended meaning, therefore, it was inconclusive of any staff misconduct. As a result of the findings, no action was necessary.

IG 11-0052/CCC 2011-02319 Palm Beach Regional Juvenile Detention Center

This investigation was predicated upon a report to the CCC from an assistant detention superintendent after receiving documentation from the State Attorney's Office indicating a female Juvenile Justice Detention Officer (JJDO) was having inappropriate conversations with a youth on Facebook after the youth was released. Palm Beach Regional Juvenile Detention Center is a state operated detention facility. During the investigation, the youth also reported the subject JJDO had sexual contact with her in her cell on one occasion. This allegation was referred to law enforcement and their case was subsequently closed. Based on the documentation and interviews conducted, the allegation was substantiated that the subject engaged in Improper Conduct/Violation of Policy/Rule by communicating with a youth via a social networking site and for using her cell phone in master control. The allegation of sexual misconduct was Inconclusive based on the criminal investigation, documents, and interviews. The subject was terminated. It was also substantiated that two additional JJDO's were in Violation of Policy/Rule when they failed to notify the superintendent after the youth reported to them she was Facebook friends with the subject.

IG 11-0059/CCC 2011-02515 Thompson Youth Academy

This investigation was predicated on a complaint that a male staff member had been arrested and charged with two counts of Aggravated Assault with a Deadly Weapon by the Miami Gardens Police Department. The alleged incident occurred while the staff member was not on-duty. After the staff member's arrest, law enforcement officials discovered that the staff member had urine samples in his possession. It was later revealed that the staff member allegedly told law enforcement officials that the urine samples in his possession were to sell to staff members at the program, so they could pass their drug tests. During the investigation, OIG staff found that the information reported to the CCC was inaccurate and that the staff member had told law enforcement officials that he intended to sell the urine to a youth at the program. During his arrest, the staff member also advised the arresting officer that he worked for the Department of Juvenile Justice as a Counselor at Thompson Academy. The staff member admitted that at the time of his arrest law enforcement officer did find a vile of urine on him but denied he ever said it was intended for anyone at the program. The staff member said he was giving the urine sample to a friend who worked at a local barbershop, who was seeking employment that required him to take a drug test. Multiple interviews were conducted with youths and staff at the facility and no testimony was obtained to support the allegation. The allegation of Violation of Policy/Rule was inconclusive as it pertained to the allegation that that staff member attempted to sell his urine sample to another staff member/youth at the facility. The allegation of Violation of Policy/Rule was substantiated as it pertained to the staff member identifying himself as an employee of the Department of Juvenile Justice during his arrest. The staff member was subsequently terminated due to an unrelated incident after this investigation.

IG 11-0063/CCC 2011-02665 Palm Beach Juvenile Correctional Facility

This investigation was predicated on a complaint from an anonymous caller who reported that staff and youth had engaged in inappropriate behavior at the facility. The caller alleged that the facility administrator had a sexual relationship with a female staff member, and was observed kissing and touching while on duty. The caller also alleged that a staff member used the insurance cards of youth to obtain personal diet products. The staff member also allegedly was engaged in a sexual relationship with

a youth and allegedly gave the youth her personal phone number and showed him nude pictures on her cell phone. The caller then alleged that another staff member disclosed personal information of youth to an affiliate of the contracted kitchen staff. She subsequently divulged information to other facility staff. The kitchen staff member also allegedly engaged in sexual relationships with three male youth at the facility. Based on interviews conducted and records reviewed, the allegations of Improper Conduct/Staff on Staff Sexual Nature, Improper Conduct/Sexual Nature, Sexual Misconduct (PREA), and Violations of Policy/Rule were unsubstantiated.

IG 11-0064/CCC 2011-02662 Probation Circuit 12

This investigation was predicated upon a report to the CCC from the Assistant Chief Probation Office that a Juvenile Probation Office (JPO) sent a threating text message after work hours to a Juvenile Probation Officer Supervisor (JPOS) relating to work issues. The investigation showed the subject admitted to sending the text message out of frustration with the JPOS, but denied intending to harm the JPOS. Based on documentation and interviews conducted, that the subject engaged in Violation of Policy/Rule by failing to display courteous, considerate, respectful behavior stemming from work-related issues was substantiated and the allegation of Violence in the Workplace Policy/Procedure was Unsubstantiated. The subject resigned.

IG 11-0070/Probation Circuit 12

This investigation was predicated on information developed through another OIG investigation concerning a complaint of employee harassment at Probation Circuit 12. OIG staff received information that a Juvenile Probation Officer Supervisor (JPOS) and two Juvenile Probation Officers (JPO's) had allegedly obtained outside employment in violation of the Department's dual employment policy. During the course of the investigation additional information was developed concerning the possible falsification of People First timesheets where the JPOS and one JPO appeared to have received compensation from both DJJ and a secondary employer for time periods reported in the People First system. OIG staff conferred with the DJJ Office of General Counsel (OGC) where it was determined there was insufficient cause to proceed with a criminal action on the matter of falsification of timesheets. However, the OGC recommended OIG staff proceed administratively with the allegation of falsification as a Violation of Policy/Rule. The investigative findings determined there was sufficient cause to substantiate one JPO submitted a DJJ Attendance and Leave form containing inaccurate information which was equal to falsification, but did not rise to the level of a criminal offense. The JPO made restitution to the secondary employer. There was insufficient evidence to show the JPOS submitted false information in the People First system and the allegation of falsification was closed as inconclusive as a violation of Policy/Rule. The allegations that the JPOS and one JPO violated department policy by engaging in secondary employment without first having received authorization by the department was substantiated. The second JPO was determined to have complied with all department requirements for authorized secondary employment.

IG 11-0072/CCC 2011-02927 Youth Environmental Services Program

This investigation was predicated on an allegation by a youth that he and a female therapist at Youth Environmental Services (YES) Program engaged in sexual intercourse on two occasions in her office. The YES Program is a contracted residential program. Based on interviews conducted and records reviewed, the allegations of Sexual Misconduct (PREA) and Violation of Policy/Rule were inconclusive.

IG 11-0080/CCC 2011-03634 Big Cypress Wilderness

This investigation was predicated on a notification to the CCC, of a vehicle crash involving staff and youth from the Big Cypress Wilderness program. It was initially reported that an instructor/counselor and seven youths returning from an off-campus trip at approximately 10:00 p.m. that evening, were involved in a crash where their vehicle overturned and landed upside down, submerged in a canal, in Ochopee, Florida. As a result of the crash the driver of the vehicle and one of the youth passengers was trapped in the vehicle. After being removed from the vehicle both were administered CPR but were pronounced dead by medical authorities. During the course of the investigation, OIG staff found information which indicated there was an insufficient number of seats and seat belts for the youths during portions of the trip; the program failed to maintain the proper youth to staff ratio during portions of the trip, the vehicle driver was not authorized to drive program vehicles, the program's Director of Operations transported a

OFFICE OF THE INSPECTOR GENERAL ANNUAL REPORT FOR FISCAL YEAR 2011-2012

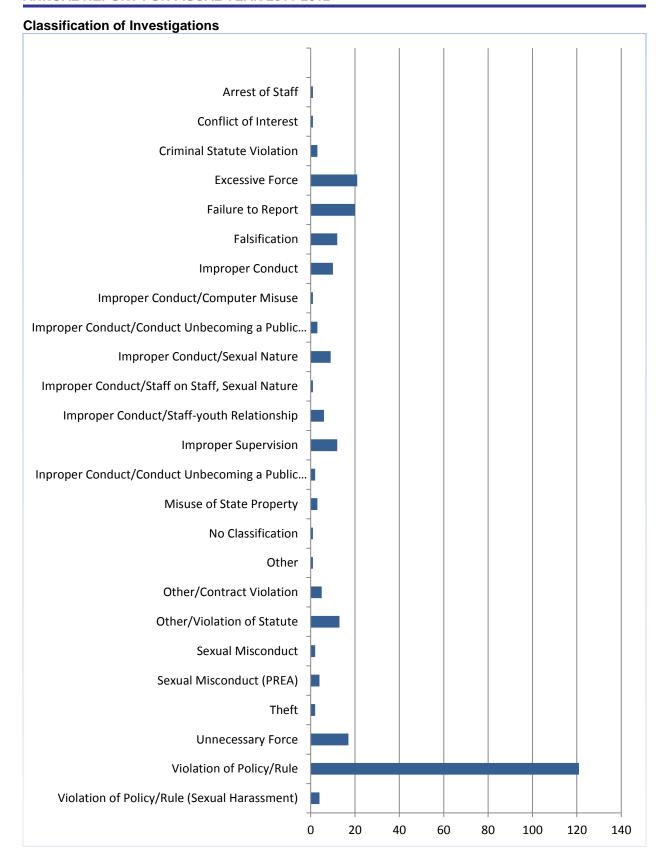
youth off campus and allowed him to participate at the scene of the crash, thereby placing the youth in jeopardy, and discrepancies were noted in program reporting and youth statements which lead the OIG to determine eight youths were in the vehicle at the time of the crash. The Investigation Substantiated findings against subject staff for (1) failing to maintain staff to youth ratio requirements for off-campus activities; (2) unauthorized staff transporting youth; (3) use of cell phone in the presence of a youth and operating a program vehicle; and, (4) untruthfulness. The program's Director resigned and the Director of Operations was terminated from program employment.

IG 12-0007/CCC 2012-00370 Circuit 12 Probation

This investigation was predicated on a complaint from the parent of a youth who alleged that a Senior Juvenile Probation Officer (SJPO) had not made contact with her or her child during the probation period. Upon reviewing the youth's case notes it was discovered that the SJPO had falsified records that she had been in court with the youth and her mother on a specific day which was later determined to be a day court was not in session. It was also determined that the SJPO had falsified documentation showing the completion of the youth's community service hours, and submission of the youth's apology letter. The SJPO submitted a statement admitting to falsifying the youth's records, along with approximately 15 others, starting sometime between May and August 2011. The SJPO also admitted that she had telephoned the youth's mother and identified herself as her co-worker. Based on the documents submitted by the SJPO and reviews by OIG staff, the allegations of Violation of Policy/Rule was substantiated that the SJPO falsified field notes and falsely identifying herself as another SJPO during the course of a telephone conversation with the youth's mother. OIG staff referred the case to the Manatee County Sheriff's Office, Investigative Bureau who assigned the case for criminal investigation. A capias was filed with the State Attorney's Office (SAO) and the SJPO received Pre-Trial Intervention. The SJPO submitted her resignation prior to the commencement of the OIG investigation.

Computer Forensic Technical Assistance

During the reporting period the OIG provided technical assistance in the form of computer forensic examinations for four investigations conducted by the OIG or other government agencies. Computer hard drives and other memory storage devices containing over 175 gigabytes of data were seized and forensically examined. All examinations were conducted in a forensically sound manner to identify possible subjects and to document and secure digital evidence relating to the violation of DJJ (or requesting agency) policies and procedures.

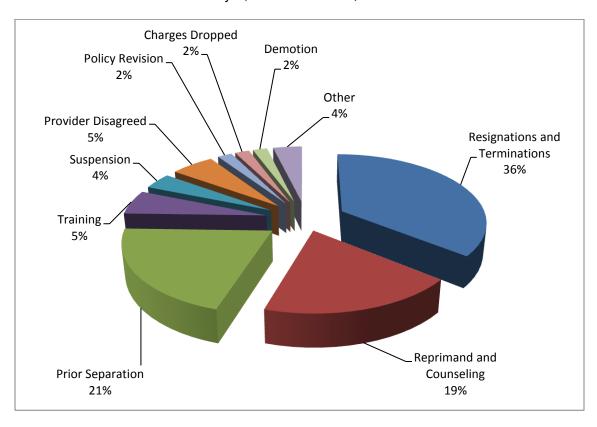


Categorization of Investigations/Inquiries Closed During Fiscal Year 2011-2012

	Total	Administratively Closed	Inconclusive	No Cause	Prior Determination	Referred	Substantiated	Unsubstantiated	Substantiated Allegations as Percentage of Total
Arrest of Staff	1	1							0%
Conflict of Interest	1							1	0%
Criminal Statute Violation	3					2		1	0%
Excessive Force	21		17				1	3	5%
Failure to Report	20		5		4		7	4	35%
Falsification	12		2			2	2	6	17%
Improper Conduct	10		5		1	1	2	1	20%
Improper Conduct/Computer Misuse	1		1						0%
Improper Conduct/Conduct Unbecoming a Public Employee	3		1				2		67%
Improper Conduct/Sexual Nature	9		6			1	1	1	11%
Improper Conduct/Staff on Staff, Sexual Nature	1		1						0%
Improper Conduct/Staff-youth Relationship	6		1				3	2	50%
Improper Supervision	12		6				1	5	8%
Inproper Conduct/Conduct Unbecoming a Public Employee	2		1				1		50%
Misuse of State Property	3		1				1	1	33%
No Classification	1	1							0%
Other	1		1						0%
Other/Contract Violation	5		2				1	2	20%
Other/Violation of Statute	13		4				3	6	23%
Sexual Misconduct	2		1			1			0%
Sexual Misconduct (PREA)	4		1			1		2	0%
Theft	2	1					1		50%
Unnecessary Force	17	1	8				3	5	18%
Violation of Policy/Rule	121	1	60		4		36	20	30%
Violation of Policy/Rule (Sexual									
Harassment)	4			4					0%
TOTAL	275	5	124	4	9	8	65	60	2%
Source: OIG Database									

Disciplinary Actions

July 1, 2011 - June 30, 2012



The Central Communications Center

The DJJ OIG established the Central Communications Center (CCC) in December 1994, which at that time was known as the Incident/Complaint Hotline. The Incident/Complaint Hotline was maintained by the DJJ OIG from December 1994 until July 2004, when it was assigned to Residential and Correctional Services. In June 2006, the CCC was reassigned to the OIG pursuant to Chapters 5 and 9, Florida Statutes. The CCC provides information to DJJ to assist in maintaining a safe environment for the treatment and care of youth in department programs.

Operational Hours and Procedures

In October 2010 the CCC adopted into law Florida Administrative Code 63F-11, which requires both department staff and contract provider staff to report certain prescribed incidents to the CCC within 2 hours of the occurrence or knowledge of the occurrence. Incidents are called in to a toll-free telephone number 7-days a week, 365 days per year.

The CCC is staffed by the following positions who receive and process calls:

- 1 Operations and Management Consultant II Coordinator
- 4 FTE Operations and Management Consultant II
- 3 OPS Government Operations Consultant I (1 vacancy)
- 1 part-time OPS Operations and Management Consultant I

This process guarantees receipt of incidents by the duty officers as all incidents are deemed critical to department operations, thereby necessitating expedited reporting. The duty officers simultaneously enter

reported incidents into the CCC Tracking System, which is a specialized management information tracking system. Once incidents are entered into the CCC tracking system notification is sent to the Secretary, Branch Representatives, and the OIG for assignment and response.

The following are some of the reportable incident types:

- Youth Deaths
- Staff Arrests
- Escapes from Secure Facilities
- Life-threatening Youth Injuries
- Disturbances
- Display/Use of Deadly Weapons
- Staff and Youth Sexual and Romantic Relationships
- Theft of Staff/Youth Owned Property
- Alleged Improper Use of Force and Abuse
- Medical/Mental Health issues

Central Communications Center Data System

A daily report is generated from the CCC Tracking System and e-mailed each workday to the OIG, Secretary, and various department representatives to notify them of incidents received within the prior 24-hour period. The tracking system allows the DJJ OIG and various branches to assign incidents, track the findings and corrective actions, and to close incidents without generating a paper report.

Other CCC Functions

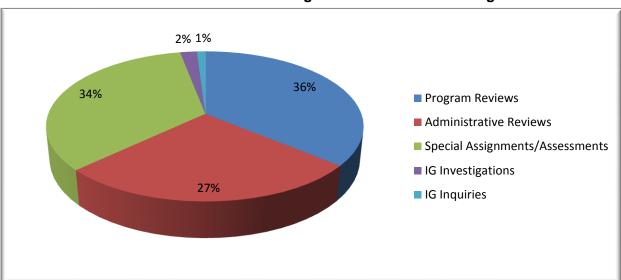
In addition to answering telephone calls and entering incidents into the CCC system, the CCC employees also perform the following functions:

- Provide assistance for all public records requests for all CCC related incidents.
- Assist in resolving employment issues by researching missing disposition information or any discrepancies with an employee's CCC incident history.
- Assist the program areas with any CCC incident changes, updates or assignments within the system.
- Scan and attach any documents related to a CCC incident into the system.
- Review and input any Abuse Registry Investigative or Phoenix Reports received via fax into the CCC system.
- Provide statistical data.
- Provide technical assistance to OIG Inspector Specialists and other program areas by researching the voice recording system and making the telephone recording available for viewing.
- The voice recording system is also used as a training tool for the duty officers.
- Provide customer service assistance and guidance to citizens who need department services.

CCC Accomplishments and Statistical Data during FY 2011-2012

- Automated the CCC Incident/Complaint blank report form for usage on-line.
- The CCC Policy (FDJJ 8000) was changed to a Rule in October 2010 (63F-11 F.A.C.).
- Approximately 12,741 calls were received by duty officers.
- The duty officers entered a total of **3676** incidents into the CCC tracking system. The majority of these incidents dealt with medical issues (**1148**), complaints against staff (**1051**), and youth crimes while under supervision (**394**).
- Approximately 7027 classifications were assigned to the incidents for appropriate processing and closure. Some incidents are assigned multiple classifications based on the nature of the incident.

A total of 1723 incidents were assigned for either a review or investigation. This number comprises 555 Program Reviews, 542 Administrative Reviews, 577 Special Assignments/Assessments, 38 IG Investigations, and 11 IG Inquiries.



Total Number of Incidents Assigned for Review or Investigation

BACKGROUND SCREENING UNIT

The Background Screening Unit (BSU) is a function within the Inspector General's Office that assists the Department in meeting its goal of hiring applicants who meet statutory and agency standards for employment background screening. The BSU conducts Level II employment background screenings pursuant to Chapters 435, 984 and 985, Florida Statutes, and the Department's background screening policy and procedure. Background screenings consist of a National and State criminal records check through NCIC and FCIC and is conducted on all state and contract provider directors, owners, employees, volunteers, mentors, and interns.

BACKGROUND SCREENING PROCESS

Employment background screenings must be conducted by the BSU before an applicant is hired or a volunteer is utilized by the Department or a Department contract provider. Background screening consists of a fingerprint based criminal records check that is processed through the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigations (FBI). It also consists of a demographic search through the Judicial Inquiry System (JIS); the database designed to display records stored in courthouses in Florida. As a criminal justice agency, the Department has access to juvenile, sealed, and expunged criminal history information.

SCREENING TYPES

Livescan is the initial screening required for all potential employees and volunteers. Fingerprints are electronically transmitted to the FDLE and the FBI. Electronic submissions allow both agencies to quickly process the fingerprints and send the results to the BSU via electronic mail. This process also enables the FDLE to send an electronic notice to the BSU when a state or contract provider employee or volunteer is arrested within the state of Florida. The BSU is then able to immediately inform the employer of the new arrest.

OFFICE OF THE INSPECTOR GENERAL ANNUAL REPORT FOR FISCAL YEAR 2011-2012

If a state or contract provider employee is arrested, it is the employee's responsibility to immediately notify his/her immediate supervisor and to provide a copy of the arrest report to the supervisor or Human Resource (HR) coordinator. Supervisors/HR staffs are required to report employee arrests to the Department's Central Communications Center within two hours of being notified of the arrest. The supervisor and HR coordinator must track the employee's arrest and submit a copy of the final court documents to the BSU. If the employee pleads nolo contendere or is found guilty of a disqualifying offense, the employee is not eligible for continued employment.

The 5-Year Rescreen is a national criminal records check that is required of all state and contract provider employees and volunteers every five years of their employment or continued service. The five-year increments are calculated from the employee's or volunteer's original date of hire or initial service date.

The purpose of rescreening is to ensure that current employees and volunteers maintain level II screening standards throughout the term of their employment and or service.

RATINGS PROCESS

Background screenings are rated using one of three classifications. These classifications are based on the applicant's position and criminal history:

- Eligible (No disqualifying criminal convictions or no contest pleas.)
- Identified/Non-Care Taker Only (Disqualifying criminal convictions, but works in a position that
 does not have access or come into contact with youth or confidential youth records.)
- Ineligible (Disqualifying criminal convictions or no contest pleas.)

Applicants who receive an eligible rating may be hired or utilized by the Department or a contract provider, applicants who receive identified/non-caretaker only ratings cannot work in a facility or program and can only be hired or utilized in a position within the Department where they do not have contact/access to youth or confidential youth records, and applicants who receive a rating of ineligible cannot be hired or utilized without first being granted an exemption.

To be ineligible, an applicant must have either been found guilty of, pled guilty to, had adjudication withheld, or pled no contest to at least one of the charges listed in Chapter 435 Florida Statutes.

The following list is a sample of the 56 disqualifying criminal offenses as set forth in Section 435.04 and 985.644, Florida Statutes:

- Murder
- Vehicular homicide
- False imprisonment
- Lewd and lascivious behavior
- Incest
- Child abuse
- Felony theft and robbery
- Domestic violence
- Felony drug charges
- · Aiding in an escape
- Encouraging someone to join a gang
- Resisting arrest with violence
- Sexual misconduct in juvenile programs
- Kidnapping

EXEMPTION FROM EMPLOYMENT DISQUALIFICATION

The Department may not grant an exemption from disqualification to any person who is disqualified under Chapter 435, F.S., until it has been at least three (3) years since the applicant completed or was lawfully released from confinement, supervision, or sanction for the disqualifying offense. The Secretary decides on behalf of the Department whether an exemption should be granted or denied. Exemptions denied by the Secretary can be reconsidered via a formal hearing with DOAH pursuant to Section 120.57, Florida Statutes.

OTHER BSU FUNCTIONS

In addition to conducting employment background screenings, the 8 full-time staff members of the BSU also perform the following functions:

- Conduct criminal history checks to assist the Inspector Specialists in their investigations and inquiries.
- Coordinate the initial phases of the exemption process.
- Review personnel records for incidents of physical or sexual abuse, excessive force, and misconduct.
- Provide notification of internal incidents to the Department and contract providers to assist them in making informed hiring and rehiring decisions.
- Inform programs of employee arrests.
- Correspond with law enforcement agencies and court clerks throughout the United States
- Scan completed screening documents into an archival database for future reference and access.
- Respond to telephone, fax and e-mail inquiries.

STATISTICAL DATA 2011-2012

- 10,690 employee background screenings were conducted.
- \$267,511.19 in fingerprint card processing fees were collected.
- 2,918 credit card transactions and 3,943 checks were processed.
- 448 applicants failed to submit additional information or were withdrawn by the requester and 257
 applicants were statutorily disqualified, resulting in a total of 705 applicants who did not clear the
 screening process.
- **54** applicants requested an exemption hearing for a statutorily disqualified offense appearing on their record during the criminal background check.
- Approximately 600 arrest notifications.
- Approximately 42,760 pages of documents were scanned into the BSU archival database.
- Approximately 11,395 records were reviewed in the Inspector General Incident Tracking system.
- Approximately **4,200** customer calls/faxes and e-mail inquiries were serviced.

Staff Directory

Mary Roe Eubanks former Inspector General
Wanda Glover Administrative Assistant III
Sonja Robinson Senior Management Analyst I

Investigations

Keith Morris Chief of Investigations
Howard Greenfield former Chief of Investigations

Kristin Avery Inspector Specialist
Andrew Blimes Government Analyst I

Richard Bodnar Senior Management Analyst II

Charles Brock Inspector Specialist

Robert Goldapple former Inspector Specialist

Ruben Hernandez Inspector Specialist Lisa Herring Staff Assistant

Katina Hinson former Inspector Specialist

Jeffrey McGuiness Inspector Specialist

Teresa Michael Senior Management Analyst II

Linda Offutt Inspector Specialist
Regina Perry Secretary Specialist
Chad Scheeley former Inspector Specialist

Gerard Ward Inspector Specialist

Background Screening Unit

Myra Burks
Senior Management Analyst II, Supervisor
Lisa Alexander
Government Operations Consultant I

Johnalvn Bryant
OPS – Government Operations Consultant I

Ashley Collins OPS – Data Entry Operator
Clay Dodson OPS – Data Entry Operator
Cassandra Neal Senior Management Analyst I

Erika Ross OPS – Government Operations Consultant I

Sharon Washington Operations Analyst II

Central Communications Center

Chantelle Dishman Operations Management Consultant II, Supervisor

Cheryl Beasley
Chad Bennett
OPS – Government Operations Consultant I
Melaney Denson
Government Operations Consultant I
Operations Management Consultant I
Operations Consultant I
Operations Consultant I
Operations Consultant I
Operations Consultant I

Ashlee Anderson OPS – Government Operations Consultant I
Adrian Nealy OPS – Government Operations Consultant I

Internal Audit

Michael Yu Audit Director

Roosevelt Brooks Operations Review Specialist
Helene Muth Management Review Specialist
Monica Taina Management Review Specialist



To contact the Office of the Inspector General:
State of Florida
Department of Juvenile Justice
2737 Centerview Drive
Tallahassee, Florida 32399-3100
www.djj.state.fl.us/DJJServices/inspectorgeneral or (850) 921-6344