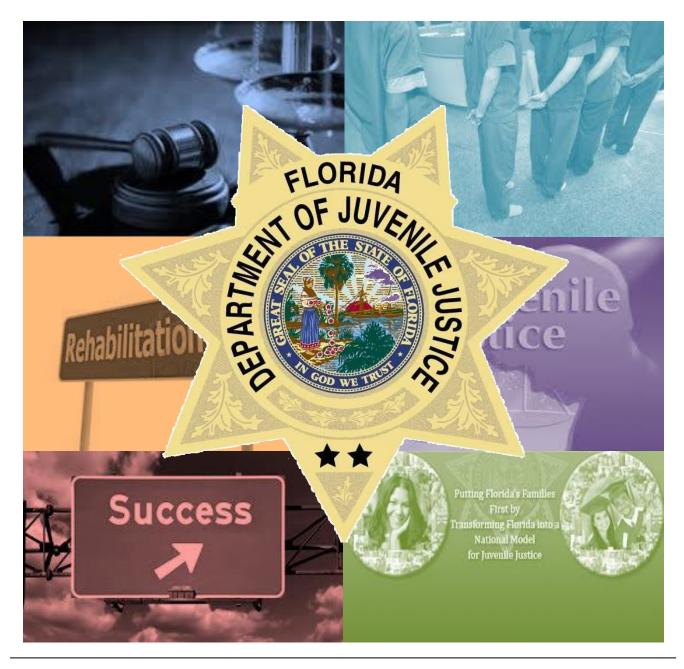
State of Florida Department of Juvenile Justice

Wansley Walters, Secretary

Christina K. Daly, Interim Secretary

Office of Inspector General 2014 Annual Report



Robert A. Munson, Inspector General

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Office of Inspector General

Department of Juvenile Justice
Annual Report for Fiscal Year 2013 - 2014

CHARTER OF OPERATIONS

Department of Juvenile Justice 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.



Inspector General's Vision

Enhancing Public Trust in Government

Inspector General's Mission

The mission of Office of Inspector General is to provide independent oversight, through objective and timely audit and investigative services, to ensure the Florida Department of Juvenile Justice and its partners maintain the highest level of integrity, accountability and efficiency.

OIG Core Values

- Leadership
- Professionalism
- Integrity
- Excellence
- Accountability
- Communications
- Teamwork



Purpose

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

Authority

The OIG reports directly to the Chief Inspector General. The authority of the DJJ OIG is derived from Section 20.055, Florida Statutes, and 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 per Section 20.055(2), Florida Statutes, which include:

- Advising in the development of performance measures, standards, and procedures for the evaluation of programs;
- Assessing the reliability and validity of information provided by the agency on performance measures and standards, and making recommendations for improvement, if necessary;
- Reviewing actions taken by the agency to improve program performance and meeting program standards;
- Providing direction for and coordinating audits, investigations, and management reviews relating to the programs and operations of the agency;
- Promoting economy and efficiency in agency programs in the administration of, or preventing and detecting fraud and abuse;
- Recommending corrective action concerning fraud, abuses, weaknesses, and deficiencies and reporting on the progress made in implementing corrective action; and
- Ensuring that 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 30th 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 of department operations and the OIG staff shall be objective in performing their work. The Inspector General reports to the Chief Inspector General and is supervised by the Secretary of the Department; however, they are not subject to supervision by any other employee of the Department. This ensures that audits, investigations and other activities remain free from interference in the determination of the scope of activities, performance of work, and 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 request 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.

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

Professional Standards

The Office of Inspector General complies with established professional standards in fulfilling its responsibilities. These include the *Principles and Standards for Offices of Inspector General*, published by the *Association of Inspectors General*, the *International Standards for the Professional Practice of Internal Auditing* and the *Code of Ethics*, published by the *Institute of Internal Auditors*, *Inc.*, as well as applicable standards of 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 adequately enable the OIG to accomplish its objectives in assisting the Department successfully accomplish its objectives.

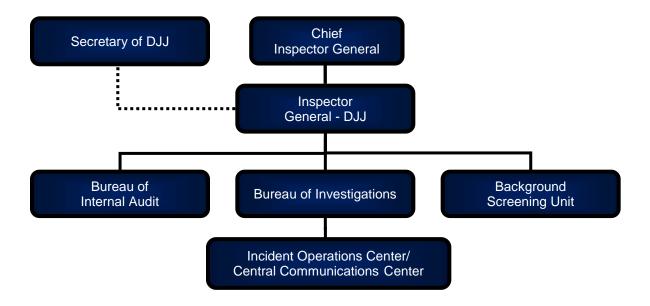
Historic Overview

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 35 full-time employees and 7 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 is comprised of four main operating sections: The Bureau of Investigations, Bureau of Internal Audit (BIA), the Incident Operations Center (IOC), and Background Screening Unit (BSU).

<u>Bureau of Investigations</u>: The Bureau of Investigations detects and investigates crimes or misconduct impacting the department.

Bureau of Internal Audit (BIA): The Bureau of Internal Audit 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.

<u>Incident Operations Center (IOC)</u>: In September 2013, DJJ established the Incident Operations Center (IOC) which provides year-round incident/complaint hotline coverage. The IOC tracks and manages all reported incidents and complaints and includes all of the activities required to ensure that DJJ providers, including State-owned and operated facilities, resolve incidents and are demonstrating corrective action. Activities include the review and/or investigation of all incidents received by DJJ and the coordination and assignment of adequate resources to conduct reviews or investigations based on criticality of incidents.

<u>Background Screening Unit (BSU)</u>: The Background Screening Unit assists the department in meeting its goal of hiring qualified 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 Certifications

Expertise within the OIG encompasses a variety of disciplines with personnel qualified in auditing, accounting, investigations, background screening, and information technology. Staff members continually seek to augment their professional credentials which further enhance their abilities and skill level through additional training. Staff personnel are also actively involved in a number of professional organizations which assist them in maintaining a high level of 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 types and number of certifications held by personnel in the OIG.

Professional Certifications	No.
Certified Internal Auditor	3
Certified Government Audit Professional	1
Certified Public Accountants	1
Certified Information System Auditor	1
Certified Inspector General	2
Certified Inspector General Investigator	14
Certified Public Manager	2
Certified Fraud Examiner	3
Certified Protection Professional	1
Certified in FDLE Criminal Justice Information Services	10
Certified FDLE Terminal Agency Coordinator	2
Certified State Law Enforcement Officer	4
Notary Public	21

Professional Affiliations

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

Staff Development

Continued professional staff development is essential to the OIG. During FY 2013-2014, the OIG Audit staff participated in numerous professional training sessions, including courses required to meet the *Standards for the Professional Practice of Internal Auditing*. The standards require each auditor to complete at least 40 hours of continuing education and training per year in order to maintain professional proficiency. The investigative staff members also attend regular training throughout the year to maintain their professional certifications. The OIG staff remains committed to seeking professional excellence through continued training and development to ensure the highest quality of 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 Audit who reports to the Inspector General. In addition to the Director of Audit, the bureau is staffed by 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 2013-2014

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

- Six compliance and performance audits;
- One follow-up review to Auditor General's audit;
- · Seven follow-up reviews to internal audits;
- Various management advisory projects and coordination with Auditor General audits; and
- Periodic investigative assistance

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 six comprehensive audits which involved both compliance and performance activities.

Audit of the Department's Employees' Travel and Travel Related Expenses

The Department's employees and other authorized persons travel to participate in meetings, work groups, conferences, training, and other mission critical events. Travel and travel expenditures are essential to the delivery of the Department's mandate and to the achievement of its objectives.



The Department's travel policy, FDJJ-1407.01, outlines procedures for employees and other authorized persons to obtain approval for and reimbursement of travel expenses connected with employee's travel. It designates those responsible for authorizing travel and establishes the procedures and forms necessary to obtain approval for travel expenses that are eligible and not eligible for reimbursement. The policy applies to all Department employees and other persons authorized by the Department.

The audit objectives were to determine whether:

- Travels were authorized properly;
- Resources were used in an efficient, effective, and economical manner, and in compliance with applicable laws, rules and regulations, and the Department's policies; and
- Adequate internal controls are in place to prevent and detect material errors and irregularities.

The audit revealed that departmental travel and travel related expenses were generally in compliance with law, rules, and Department policies. Travels were authorized properly, resources generally were used in an efficient and effective manner, and adequate internal controls were in place to prevent and detect material errors and irregularities. However, the audit indicated that improvements are needed in selecting the most economical method of travel, determining travel reimbursement rates, and ensuring reimbursement claims are filed properly and in a timely manner.

Audit of the Internal Controls of the Detention Center Operations

The Department operates 21 Juvenile Detention Centers to provide custody, supervision, education, and mental health/substance abuse and medical services to juveniles statewide. Detention Services provides for the daily care, custody, and control of youth who are held pursuant to a court order or after being taken into custody for a violation of law. The Assistant Secretary for Detention Services is responsible for all aspects of detention center operations. Regional Directors are located in the North, Central, and South Florida regions and they are responsible for the operations and the supervision of Superintendents for the juvenile detention centers in their regions. The Superintendents are responsible for the operations of their designated detention center.

Internal controls are methods implemented by management to ensure goals and objectives are achieved. Policies and procedures are key internal controls that are established to provide a foundation and a consistent guide to be followed under a given set of circumstances. Current and effective operational guidance for detention centers are essential to ensure minimum standards are identified and the guidance serves as the foundation for Detention Services. Additionally, operational policies and procedures provide criteria for monitoring functions.

The audit objectives were to determine whether:

- Adequate internal controls for detention center operations are properly established and implemented at the program level; and
- Internal controls are effective in ensuring program goals are achieved.

The audit indicated that, at the program level, internal controls for detention center operations could be improved. Detention Services policies and procedures are not properly established and implemented at the program level and they are insufficient for detention center operational guidance. Detention Services has been working on the promulgation of a new Secure Detention rule. Until the new Secure Detention rule is promulgated, Detention Services will not implement and updated operations handbook that will provide guidance for detention center operations.

The audit also indicated that Detention Services provided Quality Improvement (QI) with evaluation standards that are based on the draft new Secure Detention rule for detention center annual reviews; however, Detention Services did not provide sufficient guidance to Regional Directors and Superintendents concerning the QI evaluation standards prior to the detention centers annual QI reviews.

Audit of the Department's P- Card Program

Under the guidance of the Department of Management Services (DMS) and the Department of Financial Services (DFS), the Florida Department of Juvenile Justice (FDJJ) has designed its Purchasing Card Program to permit employees to make small dollar purchases of goods and services as they are needed for operations and without undue delay or paperwork. Small dollar purchases are those normally less than \$1,000.



The State of Florida Purchasing Card Program is managed by the Statewide Purchasing Card Program Administrator (PCPA) located at DFS. DJJ, as well as each of the other participating state agencies, has designated an agency PCPA who is responsible for the overall management of the agency's program. The management at each agency determines the level of participation in the purchasing card program and the number of cards issued.

P-Cards are issued to employee with the Department's Secretary and managers/supervisors' approval. Online training must be completed by the cardholder and a passing score must be obtained on the test at the end of the training, before a card is issued. Once all of the requirements are satisfied, and all of the forms have been completed, a P-Card will be issued to the employee. When purchases are made the cardholder must provide receipts and supporting documents as required by FDJJ policies.

The audit objective was to determine whether proper accountability measures and sufficient controls over the Department's purchasing cards are in place to ensure that P-Cards are used in accordance with applicable laws and regulations.

The audit indicated that proper accountability measures over the Department's P-Card were established to ensure that P-Cards are used in accordance with applicable laws and regulations; and sufficient controls were in place to provide management with reasonable assurance that P-Card activities are performed in accordance with applicable administrative policies and procedures. Those accountability measures and controls, in conjunction with DFS oversight controls, provide an effective P-Card management system to identify and prevent the misuse of P-Cards by cardholders.

The audit also indicated that the P-Card FLAIR Aging Report should be retained; the "Justification for Delay" form required in the Department's policies and procedures should be enforced; and P-Card cancellation in a timely manner for separated employees can still be improved.

Audit of the Department's Procurement of Contractual Program Services



The procurement process is a common business process which starts with identifying a procurement need and finishes with a finalized payment being issued. The Department invests significant resources by contracting with service providers to provide services to youth in the State of Florida (approximately \$320,000,000 annually). The vast amount of services provided to youth by the Department is through service providers.

As part of its Roadmap to System Excellence, one of the Department's stated goals is to improve its procurement process, where applicable, by implementing the use of the procurement method *invitation* to negotiate (ITN) which requires the utilization of certified negotiators when contracts are in excess of \$1 million in any fiscal year.

These contracts assist the Department in carrying out its mission in providing prevention, intervention, and treatment services to assist youth and strengthen families. The audit addressed the following contract stages pertaining to the Department's procurement of contractual program services: identify the need, plan the solicitation, evaluate the response and award the contract.

The objectives of this audit were to provide management with reasonable assurances that:

- The procurement of contractual program services are in compliance with applicable statutes, regulations, and procedures; and
- Sufficient internal controls are in place to effectively support the procurement of contractual program services.

The audit disclosed that, in general, the Department complied with applicable Florida Statutes, Florida Administrative Code, Department policies and procedures and has effective controls in place to support procurement activities. However, the audit indicated an area for improvement pertaining to the following:

Florida Statutes require that, when the value of a contract is in excess of \$1 million in any fiscal year, at least one of the persons conducting negotiations must be a certified contract negotiator. For three of the

six procurement files reviewed utilizing the procurement method ITN, there was not sufficient evidence to indicate that a certified negotiator was part of the negotiation team.

Audit of the Internal Controls of Probation Operations

The Office of Probation and Community Intervention (Probation) is responsible for providing services to youth under the age of 18 that are referred by law enforcement authorities to the Department. A referral is similar to an arrest in the adult criminal justice system.



The State's 20 judicial circuits are the Department's local jurisdictional boundaries for providing services and coordination with the courts. All 67 counties in the State of Florida are contained within the 20 judicial circuits.

The following major services are provided to youth by Probation:

- Detention Screening and Intake;
- Diversion;
- Day Treatment;
- Community Supervision; and
- Independent Living.

The audit objectives were to determine whether:

- Adequate internal controls for Probation and Community Intervention operations are properly established and implemented: and
- Internal controls are effective in ensuring program goals are achieved.

The audit indicated that Probation and Community Intervention has established and implemented internal controls through utilization of Florida Statutes, Florida Administrative Codes, Department policies and procedures, and internal Probation policy memoranda. It was also noted that managers and staff indicated they were familiar with Department policies and procedures that govern Probation service areas, as well as Department initiatives aimed at improving services to youth and their families.

In addition, the review of Probation and Community Intervention internal controls and analysis of Bureau of Quality Improvement Reports indicated that internal controls for Probation Operations were effective in ensuring achievement of program goals.

Audit of the Internal Controls of Prevention Operations



The Office of Prevention and Victim Services (OPVS) provides delinquency prevention services. Delinquency prevention programs are designed to address specific problems and provide interventions for at-risk youth and their families in order to reduce juvenile crime and protect public safety. Prevention programs target at-risk juveniles and those who exhibit problematic behaviors such as non-governability, truancy, running away from home, and other pre-delinquent behaviors.

Internal controls are methods implemented by management to ensure goals and objectives are achieved. Policies and procedures are key internal controls that are established to provide a foundation and a consistent guide to be followed under a given set of circumstances. Current and effective operational guidance for OPVS is essential to ensure minimum standards are identified and the

guidance serves as the foundation for providing prevention services to the community. Additionally, operational policies and procedures provide criteria for monitoring functions.

The audit objectives were to determine whether:

- Adequate internal controls for OPVS are properly established and implemented at the program level; and
- Internal controls are effective in ensuring program goals are achieved.

The audit indicated that, at the program level, internal controls for prevention operations need improvement. Comprehensive OPVS policies and procedures are not established and implemented at the program level. Establishing comprehensive program operational procedures could provide a framework for complying with federal and state requirements and provide guidance during changes of federal regulations, Florida statutes, and OPVS staffing.

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 one external and one internal audit/review. The bureau issued the following follow-up review reports:





- Follow-up on the Audit General's Operational Audit of Juvenile Justice Information System and Selected Administrative Activities:
- Follow-up on the Audit of Palm Beach Detention Center Operations;
- Follow-up on the Audit of Medical Services in Selected Residential Facilities;
- Follow-up on the Audit of Palm Beach Detention Center Operations;
- Follow-up on the Audit of Regional Personnel Functions;
- Follow-up on the Audit of the Internal Controls of the Detention Center Operations;
- Follow-up on the Audit of the Department's Purchasing Card;
- Follow-up on the Audit of the Department's Employees' Travel and Travel Related Expense.

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 corrective action 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 that only those individuals who meet statutory and Departmental standards of good moral character are selected to provide for the custody, care, safety, and protection of the youths entrusted to our supervision.

<u>Investigative Unit</u> The investigative unit is charged with 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 sustained allegations are forwarded to management, which is responsible for implementing corrective action and reporting it to the OIG.

The 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.

Management Reviews are conducted by department staff to look into incidents that routinely occur in department programs or routine incidents that are the least serious in nature, but still warrant follow-up. The results of these reviews are approved by the department's Assistant Secretaries.

Accomplishments for FY 2013-2014

During FY 2013-2014, the Bureau of Investigations assigned 198 complaints for Investigation, Inquiry, Referral to Management or other appropriate attention.

The Bureau of Investigations closed 67 investigations in fiscal year 2013-2014. Some of these investigations consisted of multiple allegations. The total number of allegations investigated during the period was 169. Of the allegations investigated 71 were sustained, 63 were not sustained, 28 were unfounded, and 5 were exonerated. The remaining were 2 policy failures.

The Bureau of Investigations closed 43 inquiries in fiscal year 2013-2014. Several of these inquiries involved multiple allegations that were investigated. The total number of allegations investigated through inquires was 39. Of these allegations, 11 were sustained, 7 were not sustained, 19 were exonerated, and 2 were unfounded. There were 31 inquiries that were administratively closed.

Sustained 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

IG 11-0052 Palm Beach Regional Juvenile Detention Center

The investigation was predicated upon notification that a female staff member/subject had inappropriate conversations with a female youth on a social networking site after the youth was released from the detention center. The youth later advised she and the subject had sexual contact at the facility. It was subsequently determined that two Juvenile Justice Detention Officer II's (JJDO) were aware that the female youth was friends with the subject on Facebook but did not notify the superintendent. The subject admitted to the violation, was terminated and it was subsequently determined that she engaged in Improper Conduct. The allegation of sexual misconduct was inconclusive. Charges were sustained against the two JJDO II's for Violation of Policy/Rule for not notifying the superintendent.

IG 11-0057 Leon Juvenile Assessment Center

Following the release of a youth from Leon JAC, the youth broke the lobby window of the facility. He was subsequently allowed reentry to the facility against policy and was not searched upon entry. It was determined that the staff did not have jurisdiction over the youth at the time of the incident, did not use Protective Action Response (PAR) verbal intervention techniques, did not properly document the PAR and not PAR certified. Violations of Improper Conduct and Unnecessary Force were sustained. Violation of Policy/Rule was also sustained against a supervisor. As a result, several staff received counseling, one staff retired and one resigned prior to the close of the investigation.

IG 12-0007 Circuit 12 Probation and Community Intervention

A youth's mother filed a complaint against a Senior Juvenile Probation Officer (SJPO), responsible for supervising her son, who was on probation. The mother claimed the SJPO had not made contact with her and had falsified other documentation within the youth's case file. The SJPO admitted falsifying the youth's records as well as approximately 15 others. The case was subsequently referred to the Manatee County Sheriff's Office for criminal investigation and was closed with sustained findings for falsification and conduct unbecoming a public employee

IG 12-0008 REACH Program

This investigative inquiry was predicated on an allegation that several of an employee's timesheets for the REACH program were falsified. The REACH program was a DJJ contracted prevention program operated by the Practical Academic Cultural Education (PACE) Center for Girls, Inc. The investigation determined there was insufficient evidence to prove intent to falsify and misuse state funds. The allegations of Falsification and Violation of Policy/Rule were not sustained.

IG 12-0013/12-0014 AMI Kids Tampa

This case was initiated based on a report from a Department of Children and Families (DCF), Child Protective Investigator (CPI) who was present at the AMI Kids Tampa facility to investigate allegations that the facility's Director of Operations struck a youth with a hand held metal detector and battered another youth. The program's Director of Operations was arrested by the Hillsborough County Sheriff's Office (Hillsborough CSO) and charged with one count of misdemeanor battery and one count of third degree felony child abuse. The criminal charges were subsequently dropped when the youth's mother refused to press charges or bring her son to court. Based on the subject's admission of the violation, he was terminated from the program. One allegation of unnecessary force was sustained and another was not sustained. A violation of failure to report was also sustained against the program's administrator.

IG 12-0023 Miami-Dade Regional Juvenile Detention Center

This case was initiated following notification that a MDRJDC Juvenile Justice Detention Officer (JDO) had been arrested by the Alachua County Sheriff's Office on multiple counts of identity theft and fraud, after he was found in possession of fraudulent credit cards, \$4,357 in currency and ledger pages bearing the names, dates of birth, and Social Security numbers of youths apparently obtained from a DJJ computer database. The subject's employment was subsequently terminated and violations of Criminal Statute Violation, Fraud - Organized Scheme, Confidentiality Violation, Improper Conduct/Computer Misuse, and Violation of Policy/Rule were sustained. The subject subsequently plead "Nolo Contendere" to eight felony counts of fraudulent practices, theft, and forgery of credit cards and was sentenced to five years' probation, court costs and 200 hours of community service. With the assistance of the DJJ OIG, the debit/credit card issuer was successful in recovering \$5,999.10 and returning it to the United States Internal Revenue Service.

IG 12-0024 Gulf Academy

An investigation was initiated after a youth sustained a fractured humerus bone of the left arm as a result of a Protective Action Response (PAR) restraint incident involving two program staff members. The investigation determined that the staff members used excessive force and a non-PAR physical intervention.

IG 12-0028 Bureau of Quality Improvement

An anonymous complainant alleged that a DJJ employee misused state funds when they traveled and stayed at a hotel for a training conference, but had not attended all the conference workshops. Information was developed to expand the investigation and review the travel vouchers of this individual for the prior year. Violations of Travel Policy and Procedure, Employee Code of Ethics, Policy/Rule and Section 112.061 F.S. were subsequently sustained against the employee.

IG 12-0032 Miami-Dade Regional Juvenile Detention Center

The investigation was predicated on an allegation that a youth at MDRJDC began complaining of chest pains; however, emergency medical attention was not requested by the staff until more than 30 minutes later. Miami-Dade Regional Juvenile Detention Center is a state operated detention program. Based on the investigation a Violation of Policy/Rule was sustained against the staff.

IG 12-0034 Volusia Regional Juvenile Detention Center

A youth who was horse playing with a staff member, refused to comply with verbal directives from the staff. Two staff personnel then attempted to restrain the youth, using a wrap-around Protective Action Response (PAR) technique, which resulted in the youth sustaining a broken ankle. Investigation determined that excessive force was used and a violation of policy/rule was sustained on the staff members.

IG 12-0038 Circuit 4 Probation and Community Intervention

An investigation was initiated following receipt of information that a DJJ JPO had requested that another employee access the FSFN database to gain information regarding an ongoing investigation for their personal use. A violation of improper conduct was sustained against the JPO.

IG 12-0040 Lippman Shelter

An investigation was initiated following an allegation that a Youth Care Specialist assaulted a youth and was subsequently arrested by the Broward County Sheriff's Office for Assault. The investigation determined that excessive force was used in violation of Policy/Rule.

IG 12-0042 Alachua Academy

An investigation was initiated after it was reported that a former Case Manager used a state computer to view sexually explicit material and may be involved in a romantic relationship with a family member of a youth at the facility. The investigation determined that the former Case Manager used their assigned facility computer to respond to Craigslist.com advertisements for sexual encounters. However, it could not be determined if the former Case Manager was involved in a romantic relationship with the family member of a youth. Findings were sustained against the former Case Manager for violation of the facility's computer use policies and against the current Case Manager for violation of the Department's CCC incident reporting guidelines.

IG 12-0048 Miami-Dade Regional Juvenile Detention Center

It was alleged that a juvenile justice detention officer provided other individuals with the confidential Social Security numbers of eleven youths, ordered credit cards and completed tax returns using the Social Security numbers of the youths. It was subsequently determined that the allegation was made by a fabricated complainant via an anonymous letter. The letter contained a copy of a potentially incriminating handwritten document resembling the handwriting of the subject; however, it could not be forensically analyzed due to the lack of the original document. The investigation was unable to yield any evidence to sustain the allegations. The allegations of criminal use of personal identification information and Violation of Policy/Rule were not sustained.

IG 12-0057 Duval Regional Juvenile Detention Center

An investigative inquiry was initiated following a complaint from a citizen who reported they had observed derogatory comments made about their daughter, allegedly posted by staff member on a public social media web site. The citizen reported they also accessed the Facebook page of staff members, where they observed more negative comments regarding their daughter. The incident was administratively closed as there was no evidence to prove misconduct on the part of any staff member(s).

IG 12-0059 Circuit 13 Probation

The OIG was contacted for technical assistance by members of a multi-agency Federal Task Force investigating identity theft and tax fraud, which allegedly involved a Juvenile Probation Officer assigned to Circuit 13. OIG inspectors conducted a forensic examination of the two DJJ computers assigned to the JPO, and determined that the JPO had accessed JJIS records and obtained youth identity data, which he then used in a criminal enterprise to file false income tax returns. The JPO was subsequently arrested and charged in United States District Court with Conspiracy to Defraud the Federal Government.

IG 12-0061 Leon Juvenile Assessment Center

This investigative inquiry was initiated following a complaint that staff members intervened to deescalate a confrontation between a youth and her father in the facility lobby, after the youth had been released to her father. Reportedly, before leaving the facility, the father explained his expectations regarding rules and regulations and the youth became confrontational and aggressive, hitting him in the back several times. Investigation determined there was insufficient evidence to prove misconduct on the part of staff and the inquiry was administratively closed as unfounded.

IG 12-0068 Manatee Regional Juvenile Detention Center

An investigation was initiated following notification that a youth at the Manatee RJDC did not receive their prescribed medications in a timely manner and had subsequently received medication without the knowledge and authorization of the facility designated health authority (DHA) or facility psychiatrist. Investigation determined that the detention center nurse acted appropriately in not administering the youth their prescribed medications on the date of his admission, as there was no requisite signed parental Authorization for Evaluation and Treatment form (AET) on file for the youth. However, violations of policy/rule were sustained against the nurse for failing to make required entries on department records and forms. Violations of policy/rule were

sustained against a detention center officer and a supervisor for failing to make required entries on department forms and failing to review the youth's intake admission paperwork and make required notifications.

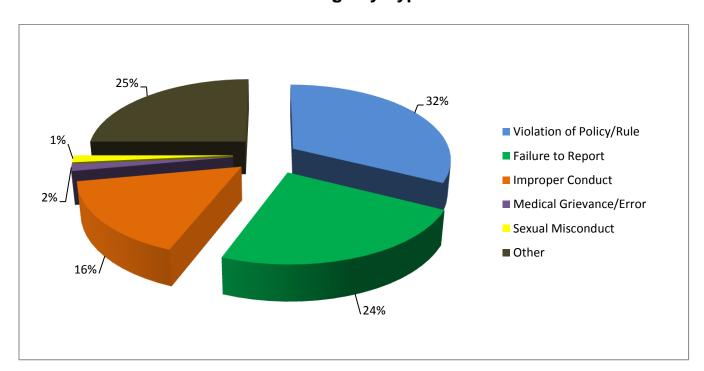
IG 13-0003 North Region Detention Office

An investigation was initiated after it was reported that between December 28, 2012 and January 2, 2013 an external hard drive containing confidential data on 114,538 current and former DJJ youth and 1,139 current and former DJJ employees was removed from the office of a North Region Detention Operations and Program Manager. The theft was immediately reported to a local law enforcement agency. During the investigation, 48 Department and building custodial employees were interviewed. The external hard drive was never recovered; however, the investigation identified several physical security flaws that may have contributed to its theft. The investigation resulted in sustained findings against the Program Manager for violation of the Department's mobile device policy by using an unauthorized storage device and not having the device encrypted.

Computer Forensic Technical Assistance

During this reporting period the OIG provided technical assistance in the form of computer forensic examinations for investigations conducted by the OIG and other government agencies. Computer hard drives and other memory storage devices were 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.

Sustained Findings by Type 2013-2014

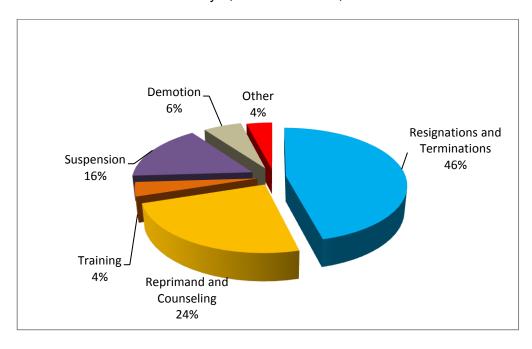


Categorization of Investigations/Inquiries Closed During Fiscal Year 2013-2014

Closed During Fisca	100	1 20	113-2	2017					
	Total	Exonerated	Sustained	Not Sustained	Unfounded	Administratively Closed	No Cause	Cause	Sustained Allegations as Percentage of Total
Arrest of Staff	0								0%
Contraband Recovered/Discovered (Violation of Policy/R	1		1						100%
Criminal Statute Violation	2					2			0%
Discrimination	2				2				0%
Dual Employment	1		1						100%
Failure to Report	17		16	6	2	1	6	2	94%
Falsification	5		1	1	1	4		3	20%
Force, Excessive	17		8	8	3	2			47%
Force, Unnecessary	1				1				0%
Fraud	1				1				0%
Fraud, Organized Scheme to	0								0%
Harassment	5						4	1	0%
Harassment (PREA)	1			1					0%
Hostile Work Environment	2			1				1	0%
Improper Conduct	22	2	7	15	7	4			32%
Improper Conduct/Computer Misuse	2		1			1			50%
Improper Conduct/Conduct Unbecoming a Public Employ	3	2	1						33%
Improper Conduct/Sexual Nature	6		1	2	2	1			17%
Improper Conduct/Staff on Staff, Sexual Nature	0								0%
Improper Conduct/Staff-youth Relationship	3		1	1		1			33%
Improper Search	0								0%
Improper Supervision	4		2	1	1				50%
Medical Grievance	0								0%
Medication Error	1		1						100%
No Classification	3					3			0%
PAR Restraint, Staff Injury	1					1			0%
PAR Restraint, Youth Injury	1					1			0%
Policy Failure	3		3						100%
Sexual Harrassment	1				1				0%
Sexual Misconduct	4		1					3	25%
Sexual Misconduct (PREA)	3			3				1	0%
Technical Assistance	1					1			0%
Theft	1				1				0%
Unauthorized Release	1		1						100%
Violation of Policy/Rule	24		20	7	4	3			83%
Violation of Policy/Rule (Improper Use of Force)	1		1						100%
Violation of Policy/Rule (Poor Performance)	1		1						100%
TOTAL	141	4	68	46	26	25	10	11	48%
Source: OIG Database									

Disciplinary Actions

July 1, 2013 - June 30, 2014



Incident Operations 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. In September 2013, the department created the Incident Operations Center (IOC), housed under the OIG, to oversee the management of all reported incidents. The CCC was subsequently absorbed as a component of the IOC. The IOC is responsible for monitoring action taken by DJJ providers, including State-owned and operated facilities, after the resolution of incidents reported through the Central Communications Center (CCC) or the Office of Inspector General (OIG). The unit is also responsible for trend analysis and the daily review and assignment referrals of incidents accepted by the CCC. The IOC 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, Florida Administrative Code 63F-11 was adopted into law. This rule 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 into a toll free telephone number 7-days a week, 365 days per year.

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. In May 2014, FDJJ Policy 2020 was implemented to further define the roles of the IOC and the CCC. The IOC is staffed by an IOC Director, CCC Supervisor, IOC Analysts, and Duty Officers

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 IOC Functions

In addition to answering telephone calls, entering incidents into the CCC system, and making daily referrals to the program areas regarding received incidents, the IOC 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 Investigations or FSFN notifications received via fax/e-mail 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:
- Provide program areas with trend analysis;
- Send closed Level II and III management reviews to providers;
- Provide a Monthly Incident Status Update Report to senior management;
- Conduct a Quality Check of all Level II and III management reviews to ensure compliance with FDJJ Policy 2020;
- Verify staff arrests using CJIS; and,
- Provide customer service assistance and guidance to citizens who need department services.

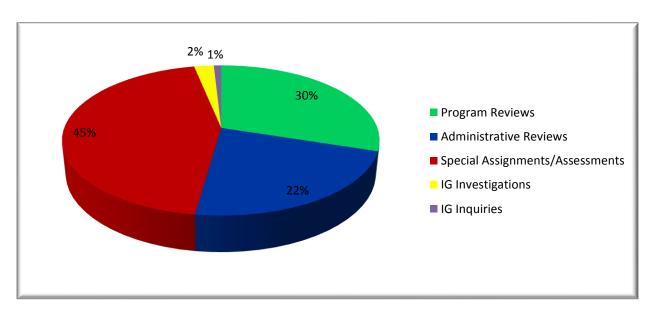
Accomplishments and Statistical Data during FY 2013-2014

- Approximately 12,369 calls were received by duty officers.
- Duty officers entered a total of **4243** incidents into the CCC tracking system. The majority of these incidents dealt with medical issues (**1,347**), complaints against staff (**1,232**), and youth crimes while under supervision (**406**).
- Approximately **5,764** 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 **1,706** incidents were assigned for either a review or investigation. This number comprises **510** Program Reviews (Level II Management Reviews), **380** Administrative Reviews (Level III Management

Reviews), **759** Special Assignments/Assessments (Level I Management Reviews), **40** IG Investigations, and **15** IG Inquiries.

- Automated the Non-Reportable Log in the CCC tracking system.
- Established and finalized FDJJ Policy 2020 defining the IOC and the roles of the program areas in regard to incident management.
- Established Service Level Agreements between the IOC and program areas regarding the service each provides to the other.
- Obtained funding to update the CCC tracking system to effect the requirements of FDJJ 2020.
- Developed CCC tracking system and IOC workarounds to be used until the computer system is updated.
- Developed an automated process in conjunction with the Division of Highway Safety and Motor Vehicles, which identifies employees with problematic driving issues/infractions.
- Established mechanism for Department of Children and Families to e-mail the IOC when complaints not accepted for investigation are received from DJJ facilities.
- In conjunction with Staff Development and Training, developed Management Review training using the former PR/AR Training and the newly established FDJJ Policy 2020.
- Conducted two webinars to cross train staff on the new process.
- Held numerous one-day trainings throughout the State to train additional staff as Management Reviewers.

Total Number of Incidents Assigned for Review or Investigation



BACKGROUND SCREENING UNIT

The Background Screening Unit (BSU) is located in the Inspector General's Office. Its purpose is to assist the Department in meeting its goal of hiring applicants who meet statutory and agency background screening standards for employment. The BSU conducts Level II employment background screenings pursuant to Chapters 435, 984, and 985 of the Florida Statutes (F.S.) and the Department's background screening policy and procedures. Background screening is performed on all state and contract provider directors, owners, employees, volunteers, mentors, and interns.

BACKGROUND SCREENING PROCESS

Employment background screenings must be completed 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 criminal records check that is processed through the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigations (FBI) using the applicant's fingerprints. It also consists of a demographic search through the Judicial Inquiry System (JIS), a Clerk of the Courts Information System (CCIS) designed to collect and display records that are stored in courthouses throughout the State of 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 potential employees and volunteers. Fingerprints are electronically transmitted to the FDLE and the FBI, which allows both agencies to process the fingerprints within 72 hours 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 receives a new arrest within the state of Florida.

The **5-Year Rescreen** is a national criminal records check that must be completed by all state and contract provider employees and volunteers every five years of continued service. The five-year increments are calculated from the employee's or volunteer's initial hire or 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 the following classifications: Eligible, Identified/Non-Caretaker Only, and Ineligible. These classifications are based on the criminal history and the position the applicant will occupy.

Applicants will receive an **eligible** rating when no disqualifying criminal conviction or no contest plea appears on the criminal record. Applicants with an eligible rating may be immediately hired or utilized by the Department or a contract provider in any position.

Certain DJJ applicants for employment will receive an **identified/non-caretaker only** rating. This rating is applied when a disqualifying criminal conviction or no contest plea appears on the criminal record, but the person will not work in a position that has access to confidential youth records or on the grounds of a facility or program where youth are housed or receiving services. This rating this rating will only be given to DJJ applicants and **is not** given to contract provider employees or volunteers. Applicants with this rating can only be hired in a position and at a location where there is no contact with youth or access to confidential youth records.

Applicants will receive an **ineligible** rating when a disqualifying criminal conviction or no contest plea appears on the criminal record. Applicants with this rating cannot be hired or utilized as a volunteer until an exemption from disqualification has been granted. To receive an ineligible rating, 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 Chapters 435 or 985, F.S.

EXEMPTION FROM DISQUALIFICATION

The exemption from disqualification is a review process that was created to allow most applicants that receive an ineligible rating to be reconsidered for employment or as a volunteer. As set forth in Chapter 435, F.S., exemptions may be granted for a misdemeanor disqualifying offense as soon as the person has lawfully completed all sanctions. However, the Department may not grant an exemption from disqualification for a felony offense, 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. An exemption from disqualification cannot be granted to any person who is a sexual predator as designated pursuant to section. 775.21, F.S., a career

offender pursuant to section 775.261, F.S., or a sexual offender pursuant to section 943.0435, F.S., unless the requirement to register as a sexual offender has been removed pursuant to section 943.04354, F.S.

The Secretary decides on behalf of the Department if an exemption should be granted or denied. Exemptions denied by the Secretary can be reconsidered via a formal hearing with the Division of Administrative Hearings (DOAH) pursuant to section 120.57, F.S.

OTHER BSU FUNCTIONS

In addition to conducting employment background screenings, the 9 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 phase of the exemption process.
- Review personnel records for incidents of physical or sexual abuse, excessive force, and misconduct.
- Inform programs of employee arrests.
- Provider out-of-state driver's license notifications
- Conduct retention notification, removal and billing
- 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 2013-2014

- 12,456 employee background screenings were conducted
- 198,782.52 in fingerprint processing fees were collected
- 4,302 credit card transactions and 2,844 checks were processed
- 465 applicants failed to submit additional information or were withdrawn by the requester and 265 applicants were statutorily disqualified, resulting in a total of 730 applicants who did not clear the screening process
- **76** applicants requested an exemption hearing for a statutorily disqualified offense appearing on their record during the criminal background check
- 476 arrest notifications were received and processed
- 12,456 record searches were conducted in the Inspector General Incident Tracking system
- Approximately 87.192 pages of documents were scanned into the BSU archival database
- Approximately 5,200 customer calls/faxes and e-mail inquiries were serviced

Staff Directory

Robert Munson Inspector General

Wanda Glover Administrative Assistant III

Internal Audit

Michael Yu Audit Director

Roosevelt Brooks
Helene Muth
Management Review Specialist
Karen Miller
Management Review Specialist
Management Review Specialist

Investigations

Brian Donaldson Chief of Investigations

Richard Bodnar Senior Management Analyst II

Gary Bussell Inspector Specialist Ruben Hernandez Inspector Specialist Lisa Herring Staff Assistant Jeffrey McGuiness Inspector Specialist Keith Morris Inspector Specialist Linda Offutt Inspector Specialist Secretary Specialist Regina Perry Inspector Specialist Larry Riley

Sonja Robinson Senior Management Analyst I

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Incident Operations Center

Holly Johnson Senior Management Analyst Supervisor

Harry Motley Operations Review Specialist Melissa Wright Operations Review Specialist

Central Communications Center

David Gilmore Operations Management Consultant II, Supervisor

Chad Bennett OPS – Government Operations Consultant I
Melaney Denson Government Operations Consultant I

Dierdre Harris OPS – Government Operations Consultant I
Mariette Keller OPS – Government Operations Consultant I
Adrian Nealy OPS – Government Operations Consultant I

Background Screening Unit

Myra Burks Senior Management Analyst Supervisor

Lisa Alexander Government Operations Consultant I

Thomas Atkinson OPS - Data Entry Operator

Briahnana Crews OPS - Government Operations Consultant I
Jeffrey Janvier OPS - Government Operations Consultant I

Terrance Mathis
Casandra Neal
Crika Ross
Sharon Washington
OPS - Data Entry Operator
Senior Management Analyst I
Government Operations Consultant I
Government Operations Consultant I



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