

# Florida Department of Juvenile Justice

Timothy Niermann, Interim Secretary



## Office of Inspector General 2018 Annual Report



Robert A. Munson, Inspector General

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## **Department of Juvenile Justice**

### **Office of Inspector General**

*Annual Report for Fiscal Year 2017-2018*

## **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 Mission**

The Office of Inspector General provides 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.

### **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.

## **OIG Core Values**

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

## **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. <sup>1</sup>According 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.

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<sup>1</sup> Section 20.055(3)(b), Florida Statutes

## 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.



## 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.

## Accreditation

Accreditation is the certification by an independent agency that an organization has met specific requirements and prescribed standards. It has long been recognized as a means of maintaining the highest standards of professionalism. Agencies must prove compliance by providing a required number of applicable standards. The agency is required to develop and compile the proofs of compliance necessary to determine conformity. Agencies document their written directives and other written policies, interviews, and observations as primary proofs of compliance. These may include agency general orders, special orders, standard operating procedures, policy manuals, ordinances, plans, rules, training directives, state laws, court orders, and memoranda that are binding on agency members.



The Department of Juvenile Justice Office of Inspector General Bureau of Investigations received Accreditation through The Commission for Florida Law Enforcement Accreditation on June 24, 2015. The Accreditation was valid for a period of three years.

In June 2018, the Bureau of Investigations was awarded re-accreditation by the Commission for Florida Law Enforcement Accreditation. This re-accreditation will be valid through June 2021.

## 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.

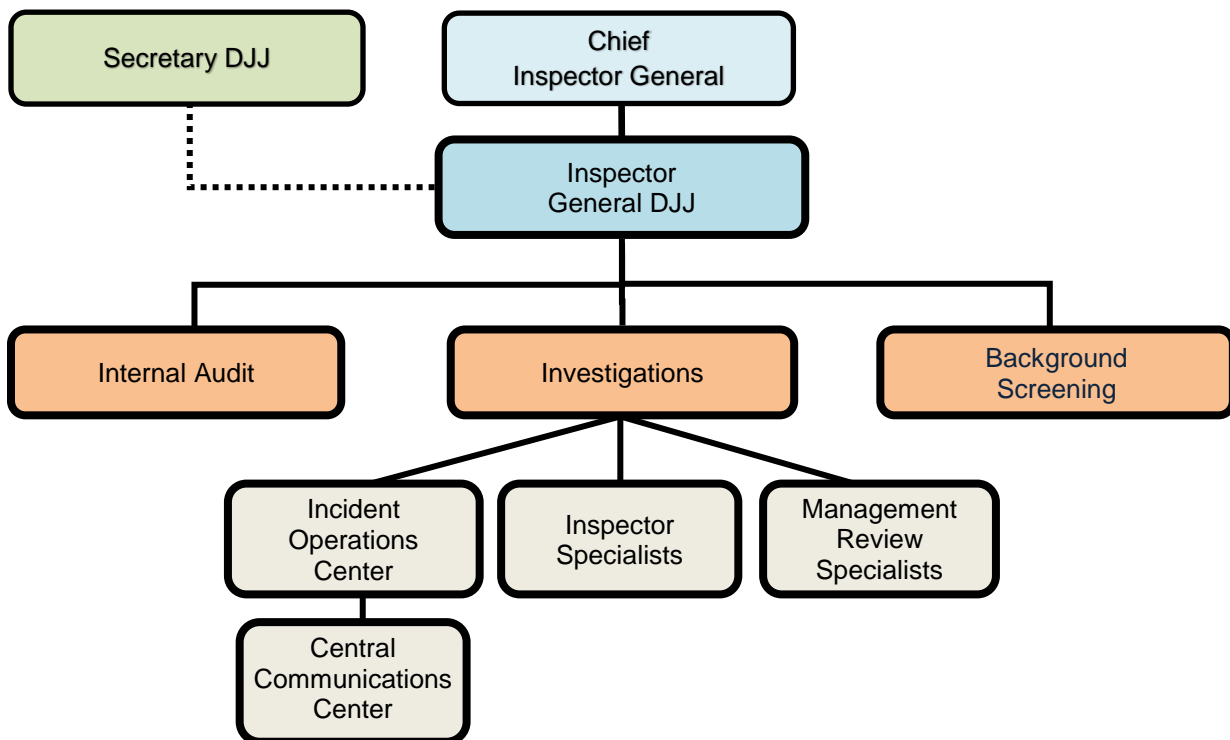
## Historic Overview

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 Office of Inspector General is comprised of four main operating sections: The Bureau of Investigations, Bureau of Internal Audit (BIA), Incident Operations Center (IOC)/Central Communications Center (CCC, and Background Screening Unit (BSU). The organizational structure for the OIG is as follows:



## **Bureau of Investigations**

The Bureau of Investigations detects and investigates administrative violations or misconduct impacting the department. The Bureau also oversees the Management Review Unit, which is charged with conducting administrative reviews of those allegations that do not rise to the level requiring an IG investigation.

### **Incident Operations Center/Central Communications Center**

The Incident Operations Center (IOC) provides daily incident/complaint hotline coverage through the Central Communications Center (CCC). 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 demonstrate 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.

### **Management Review Unit**

The Management Review Unit (MRU) was moved under the Office of the Inspector General in July 2015. The MRU is comprised of ten (10) reviewers and two (2) supervisors and is responsible for conducting reviews of allegations against a Department facility or contract provider. Management reviews are conducted when incidents/allegations are determined to be severe in nature and meet one or more of the following criteria: evidence of a crisis situation; involve serious breaches in the safety and security of youth and staff; or are indicative of unaddressed systemic issues. For the 2017-2018 fiscal year, the MRU conducted and closed 305 reviews.

## **Bureau of Internal Audit**

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.

### **Background Screening Unit**

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.

### **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 2017-2018, 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.

## **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.

<b>Professional Certifications</b>	<b>No.</b>
Certified Internal Auditor	2
Certified Public Accountants	1
Certified Inspector General Auditor	2
Certified Inspector General	1
Certified Inspector General Investigator	11
Certified Public Manager	1
Certified Fraud Examiner	3
Certified Protection Professional	1
Certified in FDLE Criminal Justice Information Services	9
Certified FDLE Terminal Agency Coordinator	2
Certified DOJ PREA Auditor	1
Notary Public	20

## **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. The bureau’s staff is composed of an Audit Director, an Operation Review Specialist, and two Management Review Specialists (Senior Auditors).

## **Audit Responsibilities**

Pursuant to section 20.055(6), 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 *International Standards for the Professional Practice of Internal Auditing*, published by the Institute of Internal Auditors. An audit involves obtaining an understanding of the 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**

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

- Three compliance and performance audits;
- One IT audit;
- Three follow-up reviews to internal audits and one follow-up review to an Auditor General audit; and
- Various management advisory projects and coordination with Auditor General audits.

## **Compliance and Performance Audits**

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 five comprehensive audits which involved both compliance and performance activities.

### **Audit of Facility Services**



Facility Services provides many types of building services to Department-owned and leased facilities. The actual work is performed by private contractors. Facility Services has nine full time employees including a licensed architect.

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

- has internal controls and processes in place to maintain safe and healthy facilities for youth and staff;
- has internal controls in place to ensure the efficiency and effectiveness of repairs and maintenance of facilities and management of resources;
- complies with applicable laws, administrative rules, contracts, policies and procedures pertaining to the oversight of Department-owned, leased, and contracted provider facilities; and
- maintains adequate records to support legislative budget requests for fixed capital outlay funds.

The audit disclosed, in general, the Department has internal controls, policies and procedures, and processes in place that provide reasonable assurances regarding repairs and maintenance of facilities and oversight of fixed capital outlay funds. However, we noted one area in need of improvement.

We applied audit procedures to fifty (50) repairs and maintenance projects totaling approximately \$9,894,092. Our review noted three projects that did not comply with criteria contained in Agreements with Construction Managers pertaining to restrictions on construction costs.

We recommend that the Department comply with criteria contained in Agreements with contractors pertaining to restrictions on construction costs.

### **Audit of General Counsel Operations**

The Office of General Counsel (OGC) provides legal services to the Florida Department of Juvenile Justice. The general counsel and assistant general counsels represent the Department in contract negotiations, children-in-need-of-services/families-in-need-of-services (CINS/FINS) cases, delinquency proceedings, garnishments and other litigations. The General Counsel serves as advisor to policy-makers by providing guidance on applicable Florida Statutes and proposed legislation and apprising the Secretary and Executive Management Team of legal issues. They do not provide legal advice to parents or youths. Consultations with service providers and employees must be only to support the Department's bona fide interests.



The scope of the audit focused on the OGC headquarters operations. The audit objectives were to determine whether:

- comprehensive operating procedures are in place to provide guidelines for the OGC operations;
- internal controls over the operations of the OGC are adequate and operating effectively; and
- resources are used in an appropriate and effective manner.

The audit disclosed that the Office of General Counsel had no operating procedures in place to define its mission, goals, and objectives, and to provide guidelines for its operations; internal controls over the operation of General Counsel were not adequate; and resource allocation needs improvement.

We recommend the Office of General Counsel develop and implement operating procedures to clearly define its mission, goals, and objectives, and to provide guidelines for its operations; develop and implement adequate internal control mechanisms to ensure the achievement of its mission, goals, and objectives; and use its resources effectively to provide better legal services for the Department. We further recommend the Department evaluate the Office of General Counsel's current resource need and reallocate the resource if necessary to maximize the benefit to the Department.

### **Audit of Probation Day Treatment Program**



The audit objectives were to provide management with reasonable assurances that comprehensive operating procedures are in place to provide guidelines for Probation Day Treatment Programs; and to assess whether guidelines are implemented and operating effectively at day treatment programs to ensure appropriate treatment of physical, social, and emotional needs of youth and protect public safety through appropriate security and supervision practices. The audit scope was to assess Probation day treatment program services from July 1, 2016 through June 30, 2017, and related activities through the end of fieldwork.

The audit disclosed that, in general, the Department had comprehensive operating procedures in place to provide guidelines for Probation Day Treatment Programs that complied with Florida Statutes and Florida Administrative Codes. In addition, our review indicated that in general, day treatment program providers complied with applicable Department policies and procedures to ensure the effectiveness of day treatment services that address the physical, social, and emotional needs of youth and protect public safety through appropriate security and supervision practices. However, we noted the following areas for improvement in one or more of the facilities:

- Written policies on youth employment were not always developed; and in some cases, did not include eligibility criteria and participation requirements;
- Contract language for day treatment services concerning youth case file reviews by the licensed mental health professional or executive director was not consistent for all providers; youth case file reviews by the licensed mental

- health professional or executive director were not always documented; and in some cases, youth case file reviews were completed by the executive director's designee;
- Community Service Hours (CSHs) sanctions written in the Youth Empowered Success Plans (YES Plans) by provider staff were not always consistent with contract guidelines; and youth time records for completed CSHs did not always include the youth's unique identification number;
  - Youth that refused to attend a program, absconded, or were incarcerated were not always timely removed from the provider's census report;
  - Contract language for curfew monitoring was not consistent for all providers; and curfew checks did not always appear to utilize staggered schedules;
  - Program facility schedule reports (bell schedules) provided on-site were not always the same reports maintained by the Department's contract manager; and did not always reflect that mandatory evidence-based training hours were being met;
  - Time frames for completion of youth admission to day treatment programs did not always appear to adhere to policy guidelines; and timely completion of assessments could not always be determined;
  - Youth case notes in the Juvenile Justice Information System (JJIS) did not always indicate that providers were following the Department's contract reporting guidelines;
  - Providers were not always able to provide evidence that lunch menus were prepared and approved by certified and licensed dietitians or nutritionist; and
  - All day treatment facilities did not have a document containing a mission statement that includes the Department's mission to reduce juvenile crime.

We recommend the Department implement processes to enhance oversight of day treatment programs.



### **IT Audit – Audit of the Network Security**

The Bureau of Information Technology (IT), located within the Department's Office of Administrative Services, works in conjunction with the Agency for State Technology (AST) to establish Network Security for the Department.

The IT Network & Infrastructure unit is responsible for network data line installation and management, implementation of network security measures, and monitoring to identify, detect, and block malicious activity. The unit is also responsible for maintaining the hardware for production, developing and testing servers, and managing Active Directory, internet, and email security. The Department's Computer Security Incident Response Team (C-SIRT) is responsible for reporting,

responding, mitigating, and tracking computer security incidents, which occur within the agency and applicable service providers.

The overall objectives of this audit were to provide management with an independent assessment relating to the effectiveness of the network security and the implementation of IT network security policies; provide management with an evaluation of the IT network function's preparedness in the event of a disaster; and identify issues that affect the security of the network. The audit focused on network security, including associated policies, standards and procedures, as well as the effectiveness of the security implementation from July 1, 2016 through June 30, 2017, and related activities through the end of fieldwork.

The audit disclosed that, in general, the Department had IT related policies and procedures in place that complied with Florida Statutes and Florida Administrative Codes (F.A.C.). However, we noted the following areas for improvement:

- Network security policy, procedures, and diagram were not available;
- Network server room access was not limited to authorized users and procedures regarding access to the server room were not developed or implemented;
- External penetration testing and internal security self-assessments have not been implemented; and
- The review and audit of activities of those with administrative privileges was not documented.

We recommended the Department:

- develop and implement a network security policy to identify the good practices of an accepted network standard and establish a clear network security strategy. We also recommend the Bureau of Information Technology creating an enterprise-wide information asset inventory that specifies information owner and information criticality. Additionally, we recommend the Department develop a network diagram that may be useful when technicians are trying to track down problems within a network.
- develop and implement a procedure governing server room access, including an annual review of the Server Room Access List by IT management and consider adding video surveillance as an extra layer of protection.
- implement regularly scheduled penetration testing and self-assessments.
- retain documentation of the periodic reviews and audits conducted by the CIO (or designee) of the activities of all staff with administrative privileges.

### **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 three internal audits. The bureau issued the following follow-up review reports:

- Follow-up on the Auditor General's Operational Audit No. 2018-084, Residential Services and Selected Administrative Activities;
- Follow-up on the Audit of Secure Detention Supervision;
- Follow-Up on the Audit of Human Resources Operations; and
- Follow-Up on the Audit of Bureau of Monitoring and Quality Improvement.

### **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 \$750,000. 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

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.



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### Investigations Unit

The investigations 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, yet still warrant follow-up. The results of these reviews are approved by the department's Assistant Secretaries.

### Accomplishments

During FY 2017-2018, the Bureau of Investigations assigned **88** complaints for Investigation, Inquiry, Referral to Management or other appropriate attention.

The Bureau of Investigations closed **77** investigations in fiscal year 2017-2018. Some of these investigations consisted of multiple allegations. The total number of allegations investigated during the period was **208**. Of the allegations investigated **80** were Sustained, **64** were Not Sustained, **59** were Unfounded, and **5** were Exonerated.

The Bureau of Investigations closed **20** inquiries in fiscal year 2017-2018. The total number of allegations investigated through inquires was **20**. Of these allegations, **20** were Administratively Closed.

Sustained findings were reported to management and resulted in terminations, resignations, and other disciplinary and non-disciplinary actions, as well as programmatic changes.

## **Summary of Investigations**

### **IG 17-0013\*/2017-00899 Okaloosa Youth Academy Non-Secure**

An anonymous caller alleged that the Program Director instructed youth to omit information from their statements to eliminate actions against the administration and facility and the Program Director failed to report the incidents to the CCC. An investigation determined that the allegations of Improper Conduct and Failure to Report were Not Sustained. Additionally, an allegation of Improper Supervision against a staff member was Sustained.

### **IG 17-0014\*/2017-01062 Okaloosa Youth Academy Non-Secure**

A youth at the facility alleged Excessive Force by a staff member. An investigation determined there was insufficient evidence to Sustain the allegation of excessive force. During the investigation, the classification of Unnecessary Force was added and Sustained against the staff member.

### **IG 17-0015\*/2017-01130 Central Pasco Girls Academy**

A youth alleged that a male Youth Care Worker may have had sexual contact with a female youth in her room. The program's video recordings showed the staff remained on-camera, and never completely entered the alleged victim youth's room. Therefore, an allegation of Sexual Abuse (PREA) against the staff was Unfounded.

### **IG 17-0016\*/2017-01226 Okeechobee Youth Development Center**

The Facility Administrator alleged a former staff reported that a staff member was engaged in an inappropriate relationship with a youth. Additionally, an anonymous caller reported that the staff is having sex with youth. The caller also alleged that the Assistant Facility Administrator is having sex with staff. The investigation determined the Sexual Abuse (PREA) allegation against staff was Unfounded, the Improper Conduct/Staff-Youth Relationship allegation against staff is Unfounded, and the Improper Conduct/Staff-Staff Relationship against two staff is Unfounded.

### **IG 17-0017\*/2017-01326 Okeechobee Youth Correctional Center Okeechobee**

A youth allegedly became combative and fell to the floor after staff attempted to restrain him, following a violent outburst and suffered a chipped front tooth and laceration to his lower lip. The youth was transported to a local hospital where he received sutures to his outer and inner lower lip. Witness interviews and a review of surveillance revealed that the staff was non-compliant with mandated restraint procedures. As such, an allegation of Unnecessary Use of Force against two staff was Sustained.

### **IG 17-0018\*/2017-01584 Highlands Youth Academy**

The CCC received a notification that a female staff member was reportedly seen on a social media site with a male youth who was recently released from the program. Based on staff witness testimony and a false statement from the staff during the OIG investigation, the allegation of Improper Conduct/Staff-Youth Relationship was Sustained. The staff submitted her resignation.

### **IG 17-0019\*/2017-01620 Tampa Residential Facility**

A staff member at the Tampa Residential Facility allegedly had sexual relations with two youth at the program. The investigation determined the allegation of Sexual Abuse (PREA) was Unfounded; however, a Violation of Policy/Rule was Sustained against the staff member for boundary issues. Law enforcement investigated the matter and unfounded the complaint related to sexual abuse.

*\*System changes implemented new numbering system.*

**2017-01719 Okaloosa Youth Development Center**

An allegation was made that a youth at OYDC had been posting Facebook Live videos from inside the OYDC. One of the videos showed the youth attacking another youth with a PVC pipe. Cell phones were subsequently found in the possession of youth there. The Facebook Live videos were recorded with contraband cell phone cameras that were improperly introduced to the facility. The internal security camera video showed unsupervised youth openly fighting in the facility. The allegations of Improper Search and Improper Supervision were Sustained against Unknown Staff.

**2017-01721 Hastings Non-Secure**

On 04/07/2017, four male youths escaped the facility. The youths were later apprehended by the St. Johns County Sheriff's office. Interviews were conducted with the four youths involved as well as several staff members at Hastings. Video footage was also reviewed. Footage showed that a youth requesting to use the restroom during sleep hours overpowered a staff member and took the staff member's keys and radio. The youth was then able to release three other youth from their rooms and all four exited the facility, leaving the staff member locked inside without a means to exit or call for assistance. It was determined that allegations of Improper Supervision were Not Sustained.

**2017-01815 Hillsborough West Regional Juvenile Detention Center**

A DJJ Detention Officer initiated a Protective Action Response (PAR) technique against a youth, after he refused to comply with his instructions to enter his room. During the incident, the youth sustained a fractured forearm. The OIG investigation resulted in a Sustained finding of Unnecessary Use of Force against one staff member.

**2017-01925 South Region Detention Services**

It was alleged that a Detention Services South Region Operation Program Manager was verbally abusive towards an Operation Management Consultant Manager. The investigation determined the allegation of Improper Conduct was Not Sustained.

**2017-01926 Okeechobee Juvenile Offender Corrections Center**

An allegation was made by a youth that he had sexual contact with a female staff member at the facility (PREA). The youth reportedly fondled the staff member on the outside of her clothing. The investigation resulted in the allegation of Sexual Misconduct (PREA) being Not Sustained.

**2017-01961 Duval Academy**

A physical altercation between a youth and a staff member occurred in the rear outdoor area of the facility grounds. Several staff and youth were interviewed (including those involved in the altercation) and video security footage of the incident was reviewed. It was determined that the allegation of Improper Conduct against the staff member was Sustained.

**2018-02018 Hastings Non-Secure**

The CCC was notified of two allegations of Sexual Abuse, two allegations of Use of Force, and one allegation of Improper Supervision against Hastings staff members. Several staff and youth were interviewed, including the alleged subjects and victim. No video footage was available, as no specific dates and times of the alleged incidents could be provided. All allegations of abuse against Hastings staff were, therefore, Not Sustained.

**2017-02053 Hillsborough West Regional Juvenile Detention Center**

Several complainants alleged various incidents of misconduct and hostile working environments at this center. An investigation determined that five incidents were Unfounded, and a sixth incident was Not Sustained.

**2017-02061 Palm Beach Youth Academy**

Youth alleged that about two or three months prior, a staff member and youth were involved in an intimate relationship. The investigation determined the allegation of Sexual Abuse (PREA) against the staff member was Unfounded, and the allegation

of Improper Conduct/Staff-Youth Relationship against the staff member was also Unfounded.

**2017-02078 Palm Beach Youth Academy**

A staff member alleged a former staff engaged in an inappropriate relationship and exchanged text messages with a youth via a PlayStation gaming system. During the investigation, it was alleged staff had knowledge of the incidents but failed to report it. An allegation of Sexual Abuse (PREA) against staff was Not Sustained, however, an allegation of Improper Conduct/Staff-Youth Relationship against staff was Sustained. Additionally, an allegation of Failure to Report against one staff was Not Sustained but an allegation of Failure to Report against a second staff was Sustained.

**2017-02127 Okeechobee Youth Treatment Center**

A male youth alleged that a female staff member was having sex with another male program youth (PREA). The staff and victim youth denied the allegation; however, the staff member admittedly failed to remain on camera or within camera view. Therefore, an allegation of Violation of Policy/Rule was Sustained. Another female staff on the dorm at the time, admittedly failed to conduct visual checks on the alleged victim youth or report the complaining youth's allegation to management and the State Abuse Registry. Therefore, allegations of Improper Supervision and Violation of Policy/Rule against this staff member were Sustained.

**2017-02200 Okeechobee Girls Academy Substance Abuse**

The Facility Administrator reported that it was alleged a former staff engaged in an inappropriate relationship with a youth, which included smoking marijuana and cigarettes together and passing personal notes. An allegation of Improper Conduct/Sexual Nature against the staff was Not Sustained, an allegation of Violation of Policy/Rule against the staff was Not Sustained and an allegation of Improper Conduct against the staff was Sustained.

**2017-002295 Dade Juvenile Residential Facility**

A Youth Care Worker allegedly touched a youth's genitalia over his clothing while sitting alone with him in his room. During the OIG probe, there was also cause to investigate whether staff failed to report that the youth exposed himself to her. The allegation of Violation of Policy/Rule against two staff was Sustained.

**2017-02390 Broward Regional Juvenile Detention Center**

Two Juvenile Justice Detention Officers were injured during a Protective Action Response incident. During an investigation of the incident, it was determined other possible policy violations occurred. The investigation was closed and five allegations for Use of Force-Improper were Sustained, twenty-one allegations of Violation of Police/Rule were Sustained, one allegation of Use of Force-Excessive was Sustained, one allegation of Failure to Report was Sustained and two allegations of Improper Conduct were Sustained.

**2017-02866 Lake Academy**

The facility administrator received several photographs indicating a staff-youth relationship had occurred between a staff member and a former youth. While there was no information to indicate a sexual relationship had occurred, the staff member failed to notify the program of a prior association with the youth and her family. The investigation determined the allegation of Improper Conduct/Staff-Youth Relationship was Sustained.

**2017-02883 Circuit 18, Unit 103, Probation**

The Circuit's Chief Probation Officer notified the CCC of receiving e-mail from a youth, who alleged that his JPO was involved in a sexual relationship with the youth's mother. Based upon a lack of evidence and the JPO's denial of the allegation, the allegation was Not Sustained. However, the JPO resigned from his employment with DJJ during the investigation. An allegation of Violation of Policy/Rule was Sustained against the JPO's supervisor for failing to report the youth's allegation to his immediate supervisor or the CCC.



**2017-02966 St Johns Youth Academy**

A female Youth Care Worker alleged that a male youth touched her private area outside the clothing. The Executive Director reviewed the video and advised the incident appeared consensual. It was determined that the YCW playfully slapped the youth's face seconds before he fondled her. An allegation of Sexual Abuse (PREA) against the staff member was Not Sustained; however, a Violation of Policy/Rule was Sustained.

**2017-3060 Okeechobee Youth Development**

A youth alleged that a female staff and another youth engaged in sexual activity on-site. The complainant denied witnessing the incident during the investigation. The allegation was subsequently Unfounded.

**2017-03278 Broward Regional Juvenile Detention Center**

A former DJJ staff alleged she was bullied and physically abused twice by an officer without consequence. It was further alleged that officers improperly restrained youth during Protective Action Response (PAR) incidents and supervisors failed to complete mandated reports. An investigation determined that the allegations of Use of Force-Excessive, Violation of Policy/Rule and Improper Conduct were Unfounded against four staff. An allegation of Violation of Policy/Rule was sustained against one staff.

**2017-03294 Hillsborough RJDC**

The Assistant Secretary for Detention Services received information indicating a juvenile detention officer was employed at an adult entertainment establishment. While there was insufficient evidence to prove or disprove the officer worked at an adult entertainment establishment, there was sufficient evidence to indicate the officer worked a secondary job without having dual employment authorization. An allegation of Violation of Policy/Rule was Sustained; however, an allegation of Misconduct/Conduct Unbecoming a Public Employee was Not Sustained.

**2017-03413 Leon Regional Juvenile Detention Center**

A Juvenile Detention Officer Trainee filed a complaint of Sexual Harassment with DJJ Equal Employment Opportunity Office. The complainant stated that the Superintendent at LRJDC had physically sexually harassed her. After the investigation was completed, the EEO Resolution Panel determined there was "No Cause" to believe alleged harassment/discrimination occurred.

**2017-03470 Hastings Non-Secure Program and G4S Youth Services**

During a Whistleblower determination interview, an allegation of failure to report by G4S Youth Services personnel was raised. An investigation of this allegation resulted in a Sustained finding against a senior management official of G4S Youth Services, for failing to report alleged incidents when they became aware of them.

**2017-03513 Palmetto Youth Academy**

Several allegations were made against program staff and management, which included staff introducing contraband into the facility, improper supervision of the staff and youth, and failing to appropriately maintain the facility. Based upon the investigation results, allegations of Violation of Policy/Rule against staff and program management were Not Sustained. Additionally, it was determined that repairs to the facility were being made in a timely manner.

**2017-03597 Okaloosa Youth Academy**

A youth at the OYA posted a Facebook video of himself and several other youths from inside the facility. The youth in question admitted to making the video, stating he got the cell phone used to record the video from another youth, but could not remember who. How the video was introduced into the facility could not be determined. Therefore, the allegation of Improper Search was Sustained against an unknown staff member.

**2017-03618 North Region Detention Services**

It was alleged several staff engaged in incidents of misconduct within the North Region Office of Detention Services. The investigation determined an allegation of Improper Conduct against the North Region Director of Detention Services was Unfounded and an allegation of Improper Conduct against a Government Operation Consultant was Sustained.

**2017-03732 Hillsborough Girls Academy**

A Foster Care Counselor alleged that a former staff member was involved in an inappropriate relationship with a former youth who was currently on Post Commitment Probation. An investigation determined that Improper Conduct/ Staff-Youth Relationship against the former staff was Sustained.

**2017-03853 Youth Environmental Services**

The Department of Children and Families referred an allegation of a romantic relationship between a male youth and a female staff member to the CCC. The OIG investigation resulted in the allegation of Improper Conduct/Staff-Youth Relationship being Not Sustained. During the OIG investigation, an additional allegation of sexual abuse (PREA) was alleged against the staff member which was determined to be Unfounded. The OIG investigation also determined the female staff member and another female staff member had improper contact through social media with two former program youths. The allegations of Violation of Policy/Rule were Sustained.

**2017-03945 Okeechobee Intensive Halfway House**

An investigation was initiated regarding multiple complaints that alleged unknown staff failed to properly supervise youth, which led to an attempted escape, possible falsification of records and excessive force against youth. The allegation of Violation of Policy/Rule against four staff was Unfounded and Not Sustained against the remaining three. The allegations of Improper Supervision and Falsification were Not Sustained. The allegation of Use of Force (Improper) was Exonerated.

**2017-04004 Alachua Academy**

An anonymous caller alleged Sexual Abuse and Violation of Policy by the Facility Administrator. An investigation determined that the allegation of Sexual Abuse was Unfounded and the allegation of Violation of Policy was a Policy Deficiency. During the course of the investigation, the following allegations were added and investigated: Improper Conduct against four staff was Not Sustained, Unnecessary Force against one staff Not Sustained, Violation of Policy against one staff Sustained, Improper Conduct against a Regional Director Unfounded, Improper Conduct against the Facility Administrator Sustained, Improper Conduct against a staff Sustained, Excessive Force against a staff Not Sustained, and Excessive Force against a staff Sustained. The investigation further cited issues with staff reporting allegations to the Abuse Registry and the CCC and recommended all staff be retrained in the reporting requirements.

**2017-04078 Highlands Youth Academy**

An investigation was initiated from information contained in arrest affidavits completed by the Polk County Sheriff's Office, which alleged a staff member used excessive force against a youth. The investigation determined the allegation of Use of Force – Excessive against the staff member was Not Sustained.

**2017-04080 Highlands Youth Academy**

An investigation was initiated from information contained in arrest affidavits completed by the Polk County Sheriff's Office which alleged staff members were aware of contraband discovered in the facility but failed to report the incidents to the DJJ Central Communications Center as required. The investigation determined the allegation of Failure to Report against two staff was Not Sustained. The allegation of Contraband Recovered/Discovered against an unknown staff was Sustained.

**2017-04082 Highlands Youth Academy**

It was alleged that the Facility Administrator failed to report knowledge of a Prison Rape Elimination Act (PREA) incident made by a youth against a female staff. The investigation determined the allegation of Violation of Policy/Rule against the Facility Administrator was Not Sustained.

**2017-04128 Okeechobee Youth Treatment Center**

The facility administrator reported that during a search of a youth's room, staff found correspondence which appeared to be from a staff member. While there was no information to indicate any sexual relationship had occurred, there was sufficient evidence to indicate a staff member had an inappropriate relationship with a youth. The investigation determined the allegation of Improper Conduct/Staff-Youth Relationship was Sustained.

**2017-04210 Walton Academy for Growth and Change**

A staff member allegedly gave pills to a youth resident. Staff were also allegedly giving youth other contraband and allowing youth into the recreation yard after visitation, to retrieve items left by the fence by visitors. The staff providing pills to the youth was properly doing so for medical purposes; therefore, that allegation of Improper Conduct was Exonerated. The investigation revealed staff were not giving youth contraband and youth were not allowed in the recreation yard prior to it being searched; therefore, the allegation of Improper Conduct was Unfounded.

**2017-04326 Highlands Youth Academy**

An anonymous caller reported an alleged sexual relationship between a staff and a youth. The matter was investigated both by law enforcement and the OIG. All parties concerned denied any relationship and the investigation determined the allegation of Sexual Abuse (PREA) was Unfounded.

**2017-04544 Okeechobee Youth Correctional Center**

A female staff allegedly performed oral sex on a male youth. During the investigation, there was sufficient reason to also investigate a staff's failure to report the matter within the required timeframe. The investigation revealed that the sexual abuse allegation was Unfounded; however, the allegation of Violation of Policy/Rule against one staff was Sustained.

**2017-04706 Martin Girls Academy**

A youth alleged she had sexual contact with a male staff member on several unknown dates (PREA). The criminal investigation was closed due to a lack of evidence. The OIG investigation resulted in the allegation of Sexual Abuse (PREA) being Unfounded.

**2017-04871 Okeechobee Youth Treatment Center**

Several youths alleged a staff member was seen exiting a restroom with possible semen on her face and pulling up her pants, followed by a youth. It was further alleged that the same staff engaged in sexual activity with other youth. During the investigation, the complainants denied observing staff and youth exit the restroom simultaneously nor did they witness any sexual activity between staff and youth. Consequently, the allegation of Sexual Abuse (PREA) against staff was Unfounded.

**2017-04989 Central Pasco Girls Academy**

A staff member allegedly was having a sexual relationship with a youth. When staff initially asked the youth about the allegation she denied it was true. An investigation revealed the staff member being off camera with the victim in an unoccupied medical building for 3 minutes and 35 seconds, which is when the alleged sex occurred. A criminal investigation resulted in no charges being filed. The OIG investigation resulted in the allegation of Sexual Abuse (PREA) being Not Sustained and the allegation of Violation of Policy/Rule, Sustained.

**2017-05025 Okeechobee Youth Treatment Center**

A youth reported witnessing a sex act between a female staff member and a youth. The investigation determined the allegation of Sexual Abuse: PREA against the staff member was Not Sustained; however, an allegation of Violation of Policy/Rule against the staff member was Sustained.

**2017-05071 Alachua Academy**

A female youth alleged that after refusing to leave the restroom, the Facility Administrator used excessive force by grabbing her arm, removing her from the restroom and throwing her against the wall. The allegation of Excessive Force against the Facility Administrator was Not Sustained.

**2017-05073 Pinellas RJDC**

During an investigation of a separate Sexual Misconduct allegation (CCC 2017-04326), it was determined a staff member at the Pinellas RJDC might have had knowledge of the sexual misconduct allegation but failed to report the matter to the CCC. An investigation resulted in a Sustained finding against the staff member for Failure to Report.

**2017-05125 Alachua Academy**

A youth's mother alleged that the Facility Administrator struck her daughter, pulled her out of bed, and called her a sexual predator. The following allegations were investigated: Unnecessary Force Not Sustained, Unnecessary Force Sustained, Improper Conduct Sustained, and Violation of Policy Unfounded. During the investigation, an additional allegation of Unnecessary Force against by the FA against another youth was investigated and Sustained and an allegation of Improper Conduct against a staff was investigated and Not Sustained.

**2107-05349 Okeechobee Sex Offender Facility**

During a room search at the facility, staff found several phone numbers in a youth's room. An investigation showed an unknown staff was negligent in some manner, allowing for the youth to gain access to the numbers. An allegation of Improper Conduct against an unknown staff member was Sustained. Also, an allegation of Failure to Report against the facility administrator was Sustained.

**2017-05398 Okaloosa Youth Academy**

A youth care worker was allegedly seen lying in bed with a youth. It was also alleged that youth were prevented from making calls to the Abuse Registry or law enforcement. The OIG investigation found no evidence to support the allegations. Allegations of Improper Conduct/Staff-Youth Relationship and Violation of Policy/Rule were both Unfounded.

**2017-05444 Okaloosa Youth Academy**

A Youth Care Worker allegedly was having a sexual relationship with a youth at the facility. The OIG investigation resulted in no evidence to support the allegation. The allegation of Sexual Abuse (PREA) was Unfounded.

**2017-05488 Okaloosa Youth Academy**

An allegation was made that two Youth Care Workers were trading sexual relations with youth in exchange for early release dates. The OIG investigation resulted in no evidence to support the allegation. The allegations of Sexual Abuse (PREA) against both subjects were Unfounded.

**2017-05649 Broward Regional Juvenile Detention Center**

A youth claimed he was physically abused, choked, and denied medical attention or an abuse call. The OIG investigation showed the use of force was initially warranted against the youth and two staff members were Exonerated of Unnecessary Force. However, it could not be determined whether the youth was physically abused or choked, which the staff denied doing.

The allegation of Improper Use of Force was Not Sustained. The youth admitted he had not requested medical attention at the time, and he later declined to make an abuse call, once he had calmed down. The allegation of Violation of Policy/Rule was Exonerated.

**2017-05668 Martin Girls Academy**

A youth alleged staff forced her to take medication against her will. An investigation showed statements by the youth were inconsistent, and the video surveillance disputed the youth's testimony. Allegations of Use of Force – Unnecessary against five specified staff and one unknown staff were Unfounded.

**2017-05689 Detention Services**

It was alleged the Assistant Secretary for Detention Services misused state property. The investigation did not reveal any evidence of misconduct and the allegation of Violation of Policy/Rule was Unfounded.

**2017-05709 Pompano Youth Treatment Center**

A staff member alleged another staff member had a sexual relationship with a youth at the facility. The victim youth and subject denied the allegations, and there was no supporting evidence. An investigation by law enforcement was closed as inactive. The OIG investigation was closed and the allegation of Sexual Abuse (PREA) against the alleged staff Unfounded.

**2017-05998 Crestview Youth Academy**

An anonymous caller alleged that a female staff member was engaging in sexual acts with three male youths. The same staff member was also allegedly bringing contraband into the facility. The allegations of Sexual Abuse (PREA) and Violations of Policy/Rule were Unfounded.

**2017-06105 Broward Youth Treatment Center**

A Youth Care Specialist struck a youth in the jaw, following a verbal altercation. A review of video footage determined that staff used unnecessary force against the youth. Consequently, the allegation of Use of Force against one staff was Sustained.

**2017-06255 Orange Regional Juvenile Detention Center**

The Assistant Detention Center Superintendent reported an altercation in which several youths attacked another youth. During the disturbance, several youth damaged property and law enforcement was called to assist. Additionally, an anonymous staff member complained about the working conditions at the facility. The investigation determined the allegation of Improper Force against a staff member was Sustained, an allegation of Violation of Policy/Rule against a staff member was Sustained, an allegation of Violation of Policy/Rule against 4 staff was Sustained and an allegation of Violation of Policy/Rule against a staff member is Sustained.

**2017-06284 Probation Circuit 17**

Two DJJ Probation Officers engaged in a verbal altercation, during which, one of the officers allegedly threatened the other. An investigation determined that the allegation of Hostile Work Environment-Threats by Staff was Not Sustained regarding both staff.

**2017-06336 Okaloosa Academy**

A former youth alleged that two staff members and two former staff members brought contraband into the facility and provided it to youth. An investigation determined that the allegations of Improper Conduct against the four staff was Not Sustained. An additional allegation was received by the mother of another former youth, alleging a former staff had offered youth contraband to attack her son. An investigation determined that the allegation of Improper Conduct against the staff was Not Sustained.

**2018-00066 Ft. Myers Youth Academy**

A youth was apprehended for escaping from the program and was in possession of two loaded firearms. The OIG investigation determined that a shift supervisor and two additional staff members, had failed to verify the youth was in his bed. Furthermore, it was determined that one of the firearms belonged to the shift supervisor, which the youth had removed from his parked vehicle. Allegations of Improper Supervision against the two staff and the shift supervisor were Sustained. An allegation of Improper Supervision on a third staff member was Not Sustained. Additionally, the allegation against the shift supervisor for Violation of Policy/Rule for having a firearm on the facility grounds was Sustained.

**2018-00077 Pompano Youth Treatment Center**

A former staff member allegedly failed to report an incident when she was employed and had acted improperly when she used her personal cellular phone to record youth at the facility. Testimony and video provided by the subject confirmed the alleged actions. Allegations of Failure to Report and Violation of Policy/Rule against the former staff were Sustained.

**2018-00086 Paxen Community Connections**

A female youth alleged that a male staff member made sexual comments towards her, rubbed her thigh, and attempted to kiss her. The investigation determined the allegation of Improper Conduct/Sexual Nature against the staff member was Sustained.

**2018-00126 Union Juvenile Residential Detention Facility**

A youth alleged a female Youth Care Worker had sexual contact with a male youth prior to his release from the program. The same YCW was allegedly engaging in inappropriate (sexual) conversations with another male youth. Upon interviewing the complainant, he confessed that he fabricated the allegations against the female. The allegations of Sexual Harassment (PREA) and Sexual Abuse (PREA) were subsequently Unfounded.

**2108-00469 Okeechobee Sex Offender Facility**

During a room search at the facility, staff found correspondence and phone numbers in several youth's room. An investigation showed some of the correspondence could be connected to some staff members. Allegations of Improper Conduct/Staff-Youth Relationship were Sustained against two staff, and Not Sustained against three others. An allegation of Improper Conduct against another staff member for acting as a go-between was Not Sustained.

**2018-00497 Tampa Residential Facility**

Allegations were made that two female staff members were having sexual contact with program youths and bringing alcohol and other contraband into the facility. The investigation determined there was no evidence to support the allegations of Sexual Abuse (PREA) and of Violation of Policy/Rule, which were closed as Unfounded. Additionally, another staff member allegedly made improper comments to a youth. The allegation of Improper Conduct was Not Sustained.

**2018-00538 Martin Girls Academy**

A youth complained that she was placed in secure observation in a suicide prevention gown and staff did not do anything to help her medically. During the investigation, it was determined that the Facility Administrator and medical staff authorized the placement of the youth into a suicide prevention gown due to self-injurious behavior. Based on this information, staff were Exonerated of the allegations of Violation of Policy/Rule.

**2018-00859 DJJ Headquarters**

An allegation was made that an Assistant General Counsel in the DJJ General Counsel's Office was using his State issued Purchase Card to rent cars for personal use, then reimbursing the State for the rentals later. Five rentals of cars for personal use were discovered. Investigation revealed the staff continued to rent vehicles for personal use, even after being told to stop doing so by the office manager. Investigation also revealed the staff was not completely truthful under oath, in his statement. The allegations of Violation of Policy/Rule and Conduct Unbecoming a Public Employee were both Sustained.

**2018-00980 St Johns Youth Academy**

A youth alleged a teacher at the facility had performed oral sex on him. An investigation determined that the allegation of Sexual Abuse was false and was Unfounded. The law enforcement investigation was closed, due to lack of physical evidence. DCF closed the abuse case with no indicators of abuse.

**2018-01016 Broward Regional Juvenile Detention Center**

During a Protective Action Response restraint, a youth sustained an injury to his leg. An investigation into the incident resulted in a Sustained finding against two staff members for Use of Force-Improper.

**2018-01021 Palmetto Youth Academy**

A youth claimed that while being escorted to his room, a staff member pushed him, which caused him to fall and hit the back of his head. The youth sustained a laceration, which required treatment at a hospital. Upon returning to the facility, the youth then claimed that he fell inside of his room. Based on the review of program video, an allegation of Use of Force – Excessive against three staff members was Not Sustained. However, a Violation of Policy/Rule was Sustained against the staff for failing to prepare a PAR report for the incident.

**2018-01080 Okeechobee Intensive Halfway House**

The Facility Administrator reported that a youth called the Abuse Registry and alleged a staff member escorted him using techniques that caused red marks to appear on his left underarm area. The investigation determined the allegation of Use of Force - Excessive against the staff member was Unfounded.

**2018-01352 Probation Circuit 9**

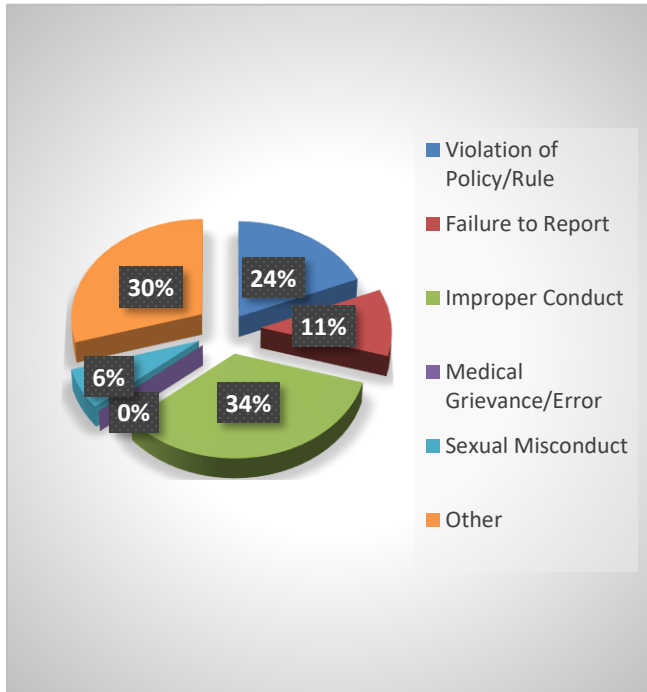
A youth alleged a juvenile probation officer engaged in improper conduct by rubbing his foot against her foot and sending her inappropriate text messages. An investigation could not prove or disprove the allegations, as department standards did not prohibit certain actions. An allegation of Improper Conduct was Not Sustained; however, an allegation of Violation of Policy/Rule was Sustained, as the juvenile probation officer did not document some of his contact with the youth.

**2018-01423 Daytona Juvenile Residential Facility**

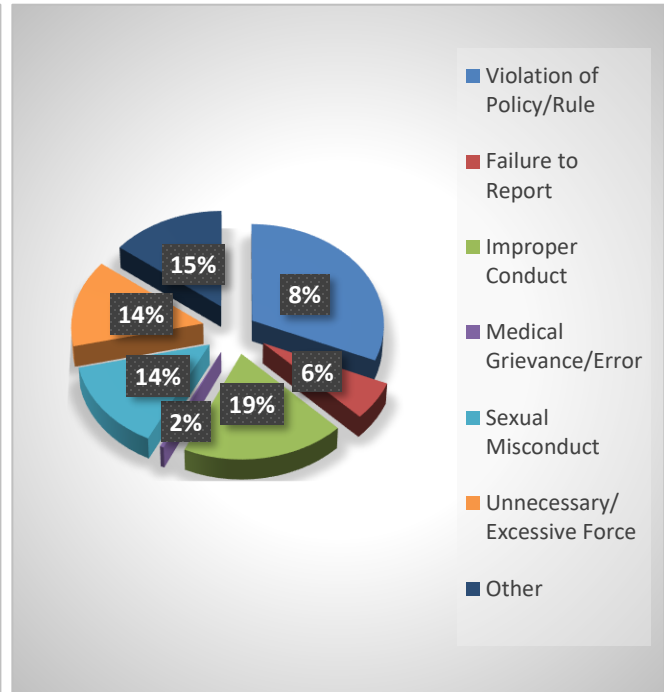
Letters written to a youth were found which contained sexually explicit language. The letters were appeared to be written by a female YCW at the facility. Management at the DJRF suspected a recently fired YCW, who had been previously counseled for having a close relationship with the youth. Investigation revealed that no conclusions could be made on the authorship of the letters. The allegation of Improper Conduct/Staff-Youth Relationship against the named YCW was Not Sustained. The allegation of Improper Conduct/Staff-Youth Relationship against an unknown person was Sustained.

## Sustained Findings by Type

2016 - 2017



2017 - 2018



### Facility Surveys

To ensure Department of Juvenile Justice detention centers and residential treatment programs operate safely and securely and in accordance with established procedures and contract requirements, the Office of Inspector General conducts unannounced facility site surveys at DJJ facilities on a continuing basis. During these surveys, OIG inspectors examine the facility’s overall physical condition and operations, security of the facility, youth safety, care and living environment, staffing levels, and conducts interviews of the staff and youth. A report of the survey, documenting findings regarding the facility is issued to the DJJ Secretary and appropriate senior staff for follow-up action, as required. During the 2017-2018 reporting period, the OIG conducted 49 facility surveys throughout the State of Florida.



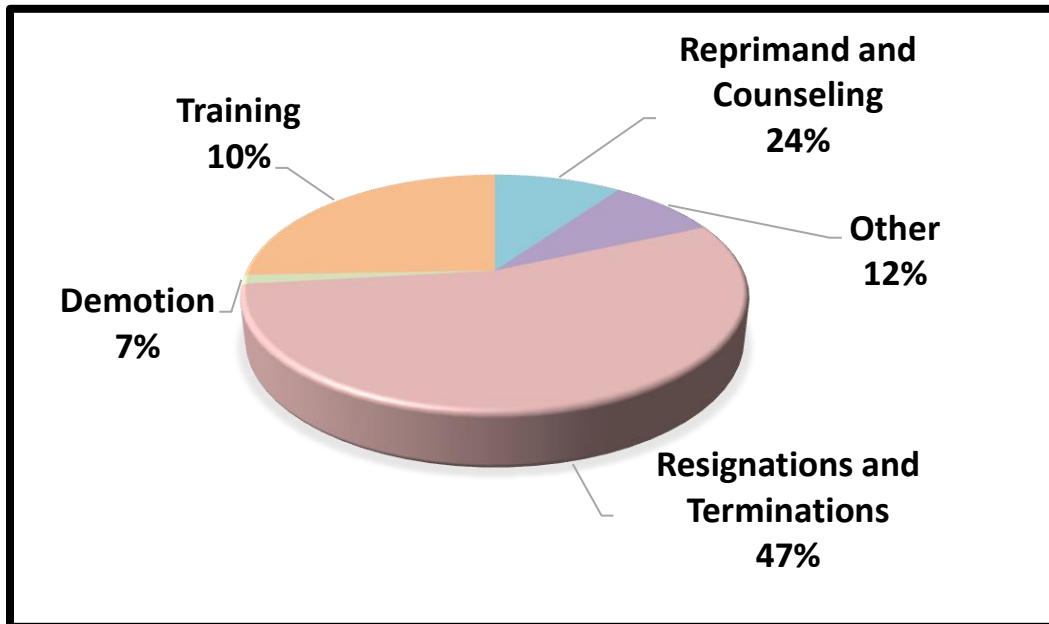


## Categorization of Investigations/Inquiries Closed

	Total	Exonerated	Sustained	Not Sustained	Unfounded	Substantiated Allegations as Percentage of Total
Arrest of Staff	0	0	0	0	0	0%
Contraband Recovered/Discovered	0	0	0	0	0	0%
Conduct Unbecoming a Public Employee	1	0	1	0	0	0%
Disturbane	0	0	0	0	0	0%
Failure to Report	13	0	8	5	0	62%
Falsification	1	0	0	1	0	0%
Force, Excessive	12	0	2	7	3	17%
Force, Unnecessary	18	1	9	2	6	50%
Fraud	0	0	0	0	0	0%
Harassment	0	0	0	0	0	0%
Harassment/Discrimination	0	0	0	0	0	0%
Hostile Work Environment	4	0	0	0	4	0%
Hostile Work Environment-Threats By Staff	2	0	0	0	2	0%
Improper Conduct	29	1	9	14	5	31%
Improper Conduct/Computer Misuse	0	0	0	0	0	0%
Improper Conduct/Conduct Unbecoming a Public Employee	0	0	0	0	0	0%
Improper Conduct/Sexual Nature	2	0	1	1	0	50%
Improper Conduct/Staff on Staff Relationship	1	0	0	1	0	0%
Improper Conduct/Staff-Youth Relationship	8	0	5	2	1	63%
Improper Conduct/Staff-Family of Youth Relationship	1	0	0	1	0	0%
Improper Search	1	0	1	0	0	0%
Improper Supervision	10	0	9	1	0	90%
Improper Use of Force	6	1	3	2	0	50%
Loss/Theft Department Property	0	0	0	0	0	0%
Medical Grievance	0	0	0	0	0	0%
Medication Neglect	1	0	0	0	1	0%
Misconduct	0	0	0	0	0	0%
Misconduct/Conduct Unbecoming a Public Employee	6	0	0	3	3	0%
Sexual Harassment	1	0	0	0	1	0%
Sexual Abuse (PREA)	28	0	0	9	19	0%
Sexual Harassment (PREA)	0	0	0	0	0	0%
Sexual Misconduct (PREA)	1	0	0	1	0	0%
Theft	0	0	0	0	0	0%
Threats By Staff	0	0	0		0	0%
Violation of Policy/Rule	67	2	50	6	9	75%
<b>TOTAL</b>	<b>213</b>	<b>5</b>	<b>98</b>	<b>56</b>	<b>54</b>	<b>46%</b>
Source: OIG Database						

## Disciplinary Actions

July 1, 2017 – June 30, 2018



## Incident Operations Center

The DJJ Office of Inspector General 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 the management of all reported incidents including monitoring action taken by DJJ providers and State-owned and operated facilities, following a substantiated or sustained finding. The unit is also responsible for trend analysis and the daily review and assignment/disposition 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. The rule was modified in August 2016 to include additional reportable requirements. 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 Incident Tracking and Report 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 review and response. In May 2014, FDJJ Policy 2020 was implemented to further define the roles of the IOC and the CCC. This policy was updated in April 2016 to incorporate move of the Management Review Unit to the OIG. The IOC is staffed by an IOC Director, CCC Supervisor, IOC Analysts, and Duty Officers.

The following are examples of 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 including unscheduled medical transports

## **Central Communications Center Incident Tracking and Report 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. Additionally, a second report is generated the following day documenting the action taken regarding the reported incident. The CCC 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. The department implemented a new CCC tracking system in April 2017 which established one centralized location for all program reviews, management reviews, and IG investigations/inquiries to be tracked. The system allows for greater information gathering and sharing, data analysis, and work flow tracking.

## **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:

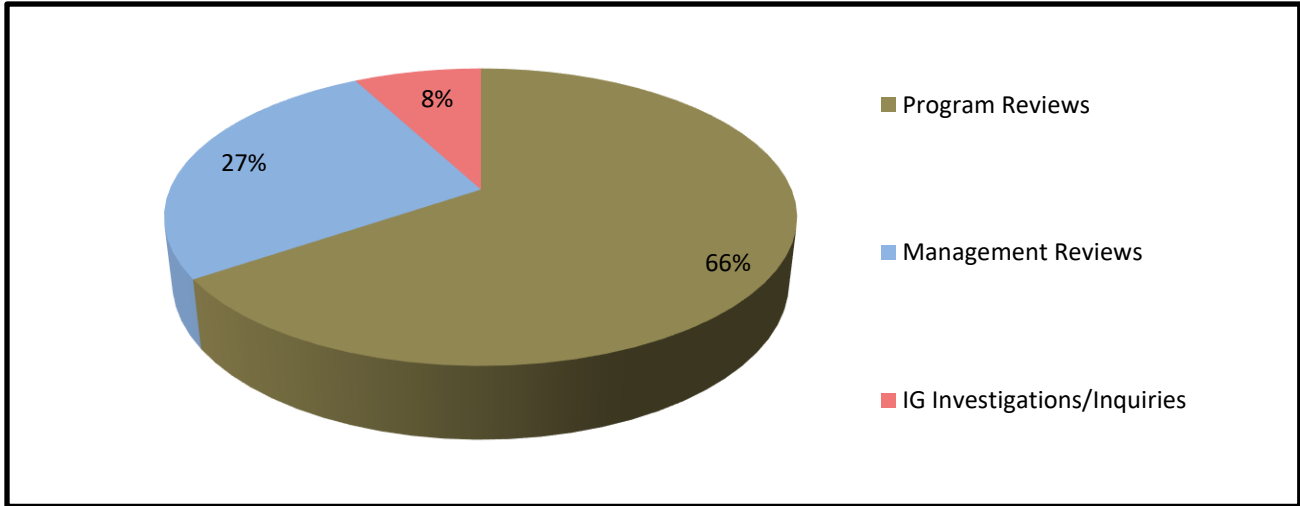
- Provide assistance for all public records requests for all CCC related incidents;
- Assist in resolving employment issues by researching missing disposition information or any discrepancies with an employee's CCC incident history;
- Assist the program areas with any CCC incident changes, updates or 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 FSN 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;
- Provide initial training for Program Reviews and Managements as well as ongoing supplemental training;
- Conduct a Quality Check of all OIG investigations and inquiries as well as all management and program 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**

- Approximately **8,186** calls were received by the CCC.
- Duty officers logged a of **4,621** reportable incidents and **1,534** non-reportable incidents into the CCC tracking system. The majority of these incidents dealt with medical issues (**1,639**), complaints against staff (**1,469**), and youth crimes while under supervision (**428**).
- Approximately **6,027** classifications were assigned to the incidents for appropriate processing and closure. Some incidents are assigned multiple classifications based on the nature of the incident. The top five classifications were Medical Transport (**1,161**), Violation of Policy/Rule (**501**), Improper Supervision (**431**), Media Attention (**404**), and Youth Injuries Resulting from Youth-on-Youth Altercation (**207**).

- A total of **951** incidents were assigned for either a review or investigation. This number comprises **620** Program Reviews, **261** Management Reviews, and **70** IG Investigations/Inquiries.

### Incidents Assigned for Investigation or Management/Program Review



## 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 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 before an applicant is hired or a volunteer is utilized by the Department or a Department contract provider. Background screening is a criminal record 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), which collects and displays 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** (Department and Clearinghouse) is the initial screening of potential employees and volunteers. Through this process, the applicant’s fingerprints are electronically transmitted to the FDLE and the FBI and returned to the BSU by electronic mail within 72 hours. It also allows FDLE to send an electronic notice to the BSU when a state or contract provider employee or volunteer receives a new Florida arrest.

The **5-Year Rescreen/Resubmission** is the national criminal records check completed for all state and contract provider employees and volunteers every five years of continued service. The five-year increments for DJJ employees and volunteers are calculated from the initial hire or service date. For provider employees and volunteers screened through the Clearinghouse, a fingerprint expiration date is located on the applicant’s personal profile page. The purpose of rescreening is to ensure current employees and volunteers maintain level II screening standards throughout the term of their employment and/or service.

## **Ratings/Determination Process**

Background screenings are rated using one of the following determinations: Eligible, Identified/Non-Caretaker Only, and Not Eligible. These determinations 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 hired or utilized by the Department or contract provider in any position.

Certain DJJ applicants for state 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 contact with youth, access to confidential youth records or on the grounds of a facility or program where youth are housed or receiving services. This rating will only be given to DJJ applicants for state employment 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 a **not eligible** rating when a conviction or no contest plea for a disqualifying criminal offense 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 by the Department. 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 435.04 or 985.644, F.S.

## **Exemption from Disqualification**

The exemption from disqualification is a review process that allows most applicants who receive a not eligible rating to be reconsidered for employment or as a volunteer. As set forth in Section 435.07, 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 by requesting 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 BSU performs the following functions:

- Provides training on the Department and Clearinghouse screening process
- Conducts criminal history checks to assist in agency investigations and inquiries
- Coordinates the initial phase of the exemption process
- Reviews personnel records for incidents of abuse, excessive force, and misconduct
- Informs programs of employee arrests
- Provides out-of-state driver's license notifications
- Creates user accounts and manuals
- Maintains policies and procedures
- Processes background screening payments
- Conducts retention notification, removal and billing
- Corresponds nationally with law enforcement agencies and court clerks
- Scans completed screening documents into an archival database for future reference and access
- Responds to telephone, fax, and e-mail inquiries

## **Statistical Data**

- **13,157** employee background screenings were conducted
- **\$31,456.00** in fingerprint processing fees and fingerprint retention fees were collected
- **134** credit card transactions and **462** checks were processed
- **97** applicants failed to submit additional information or were withdrawn by the requester and **660** applicants were statutorily disqualified, resulting in a total of **757** applicants who did not clear the screening process
- **132** applicants requested an exemption hearing for a statutorily disqualified offense appearing on their record during the criminal background check
- **938** arrest notifications were received and processed
- **13,157** record searches were conducted in the Inspector General Incident Tracking system
- Approximately **65,785** pages of documents were scanned into the BSU archival database
- Approximately **15,157** customer calls/faxes and e-mail inquiries were serviced

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