

# Florida Department of Corrections



## Office of Inspector General

Annual Report Fiscal Year 2020-2021





# FLORIDA DEPARTMENT OF CORRECTIONS OFFICE OF THE INSPECTOR GENERAL

Governor  
RON DESANTIS

Secretary  
MARK S. INCH

Inspector General  
KENNETH SUMPTER

*An Equal Opportunity Employer*

501 S. Calhoun Street, Tallahassee, FL 32399-2500

<http://www.dc.state.fl.us>

September 27, 2021

Melinda M. Miguel,  
Chief Inspector General  
Office of the Chief Inspector General  
Room 2103 - The Capitol  
Tallahassee, FL 32399-0001

Dear Chief Inspector General Miguel:

In accordance with Section 20.055, subsection (8), Florida Statutes, I am pleased to present the Florida Department of Corrections (FDC), Office of Inspector General's (OIG) Annual Report for Fiscal Year 2020-2021.

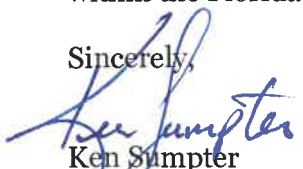
I would like to begin by thanking you for the opportunity to serve as the Inspector General within the FDC OIG. Also, I want to thank you for your support in providing vital assistance to our office in the 2020-2021 Legislative Budget Request (LBR). With your leadership our office was able to provide Secretary Inch and the State with data supportive of an additional 37 inspectors to conduct administrative investigations in order to meet the 180-day statutory requirement.

This year and has provided opportunities for internal restructure to enhance our investigative efficiency and timeliness. With Secretary Inch and your leadership, we restructured our Bureau of Investigations into two division: the Criminal Investigations Division (CID) and the Internal Affairs Division (IAD). This enabled us to recruit certified Correctional Officers and Correctional Probation Officers to fill the vacant inspector positions within IAD to conduct administrative investigations. Currently, we wait for final reorganizational approval from the Office of Policy and Budget, which will finalize our restructure.

While we continue to successfully recruit IAD inspectors, our office has experienced significant challenges recruiting certified sworn law enforcement officers to fill vacant positions within CID. This challenge is largely due to a starting salary well below national and state law enforcement wage averages and a statutory mandate that our law enforcement officers have a minimum of 3 years investigative experience. Currently, we face a 51% vacancy rate in our CID. It is our hope that the efforts of the Department's Leadership team in the 2021-2022 Legislative Budget Request (LBR) process will provide a wage parity for our CID inspectors, thus enhancing our recruitment efforts.

We look forward to our continued productive working relationship with you, Secretary Inch, the Department's leadership and our state partners to ensure accountability, integrity and efficiency within the Florida Department of Corrections.

Sincerely,



Ken Sumpter  
Inspector General



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September 27, 2021

Mark S. Inch  
Secretary  
Florida Department of Corrections  
501 South Calhoun Street  
Tallahassee, Florida 32399-2500

Dear Secretary Inch:

In accordance with Section 20.055, subsection (8), Florida Statutes, I am pleased to present the Florida Department of Corrections (FDC), Office of Inspector General's (OIG) Annual Report for Fiscal Year 2020-2021.

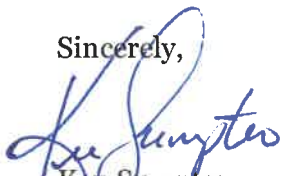
In response to statutory changes in Chapter 112.532, Florida Statutes, requiring all administrative investigations be completed within 180 days, our office presented data supportive of an increase of 37 inspectors. With your support, the Department prioritized our staffing needs in the 2020-2021 Legislative Budget Request (LBR), which resulted in providing the additional staffing requested.

Furthermore, with Chief Inspector General Miguel's and your leadership, we restructured our Bureau of Investigations into two division: the Criminal Investigations Division (CID) and the Internal Affairs Division (IAD). This enabled us to recruit certified Correctional Officers and Correctional Probation Officers to fill vacant positions to conduct administrative investigations, which has been very successful.

While we continue to successfully recruit IAD inspectors, our office has experienced significant challenges recruiting certified sworn law enforcement officers to fill vacant positions within CID. This challenge is largely due to a starting salary well below national and state law enforcement wage averages and a statutory mandate that our law enforcement officers have a minimum of 3 years investigative experience. Currently, we face a 51% vacancy rate in our CID. It is our hope that efforts you have taken in your 2021-2022 Legislative Budget Request (LBR) process will provide a wage parity for our CID inspectors, thus enhancing our recruitment efforts.

I look forward to our continued productive working relationship with you and your leadership team to ensure the success of the OIG mission of accountability, integrity, and efficiency within the Florida Department of Corrections.

Sincerely,



Ken Sumpter  
Inspector General

## Introduction

The Florida Department of Corrections, Office of Inspector General is comprised of the Bureau of Internal Audit, Bureau of State Investigations, and the Environmental Health and Safety Section. The Office of Inspector General is unique compared to most Offices of Inspectors General. Part of the duties and responsibilities of the Office is to investigate criminal violations involving inmates and visitors. The Office also conducts health and safety inspections of correctional institutions or any place in which state prisoners are housed or work. The inspections reference the physical conditions, cleanliness, sanitation, safety and the general conditions of each institution. The authority of the Office is derived from Chapter 944.31, Florida Statutes.

As a State Office of Inspector General, the Office is a central point for coordination of and responsibility for the activities to promote accountability, integrity, and efficiency in state government. The governing principle of the Office is the Principles and Standards for Offices of Inspector General as published and revised by the Association of Inspectors General, commonly known as the Green Book. The principles and standards of confidentiality, quality assurance, objectivity are just some of the principles and standards adhered to by the Office.

Offices of Inspectors General have a long history not only in the Federal Government, but also in the State of Florida. The State of Florida adopted the Inspector General concept in 1994, after Governor of Florida, the late Lawton Chiles seeing the positive impact of Inspectors General in the federal system as a US Senator, led to the creation of the Florida Inspector General Act.



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## **DEPARTMENT BACKGROUND**

As the nation's third-largest prison system, the Florida Department of Corrections (Department) fulfills a primary role in enhancing the safety of Florida residents. Through a network of state prisons (50 state and 7 private), road prisons, work camps, and community-based facilities, the Department manages incarceration and care for approximately 80,000 inmates. The Department also supervises approximately 144,000 offenders through 146 probation offices statewide. The Department employs approximately 25,000 employees (as of June 30, 2021, over 5,000 of these are currently vacant) the majority of whom are Correctional Officers or Correctional Probation Officers who carry out this public safety mandate 24 hours a day, 7 days a week, 365 days a year.

## **PURPOSE OF THIS ANNUAL REPORT**

Section 20.055, Florida Statutes, requires the Inspector General submit to the agency head, and for state agencies under the jurisdiction of the Governor, the Chief Inspector General no later than September 30 of each year, an annual report summarizing the activities during the preceding fiscal year. This report provides departmental staff and other interested parties with an overview of the Office of Inspector General's activities as related to its mission.

## **VISION**

A safe and efficient Florida correctional system.

## **MISSION**

Promote leadership to ensure accountability, integrity, and efficiency within the Florida Department of Corrections.

## **GENERAL GOALS**

To add value to the Department by:

1. Continuously identifying Department needs & priorities;
2. Identifying risk and threats that impact public safety;
3. Promoting innovative solutions to address the Department's needs; and
4. Providing timely, accurate, and pertinent information to decision makers.

## **SPECIFIC AREAS OF RESPONSIBILITY**

The Office of Inspector General has a Bureau of Internal Audit, Bureau of State Investigations, and an Environmental Health and Safety Section:

1. **Auditors** assess the efficiency and effectiveness of Department programs and associated controls, measure compliance with laws and procedures, and serve to deter waste, fraud, and abuse of Department resources in the following manner:
  - conduct compliance, performance, and information technology audits in accordance with professional auditing standards and conduct reviews relating to Department operations, contracts, staff, inmates, visitors, and volunteers;
  - identify instances of fraud, abuse, and other deficiencies relating to Department programs and operations, inform the Secretary of those conditions, recommend corrective action, and report on progress made in correcting deficiencies;
  - provide assistance with criminal and administrative investigations involving waste, fraud, or misappropriation of funds;
  - conduct contract management reviews to enhance accountability and oversight of the Department's contracts for goods and services;
  - assess the validity and reliability of the information provided by the Department on performance measures and standards and make recommendations for improvement, if necessary; and
  - serve as the Department's liaison in coordinating audits and facilitating cooperation with external agencies including the Auditor General, Office of Program Policy Analysis, and the Department of Financial Services.

2. **Certified Law Enforcement and Correctional Inspectors** safeguard the integrity of the state's correctional system. The Office of Inspector General has 187 positions that are sworn law enforcement officers, certified correctional officer inspectors, and certified correctional probation officer inspectors that perform the following activities:
- conduct criminal and administrative investigations involving Department operations, contracts, staff, inmates, visitors, and volunteers;
  - coordinate investigative efforts with Florida Department of Law Enforcement and other law enforcement agencies;
  - review all incidents involving the use of force at state and private correctional facilities, and those involving probation officers to ensure compliance with established rules, procedures, and statutes;
  - process requests that include public records requests, subpoenas, arrest affidavits, investigative demands, litigation productions, inmate phone call records, background investigations, and any other records/information;
  - respond to complaints from multiple internal and external sources, MINS (Management Information Notification System), electronic complaint form (web-based), TIPS line, correspondence, e-mail, and telephone which will result in the opening of investigations, inquiries, or management referrals;
  - examine alleged violations of Title VII of the Civil Rights Act, Chapter 60L- 36.004, Florida Administrative Code, and Chapter 110, Florida Statutes. Equal Employment Opportunity complaints are received through several channels, including the Department's internal complaint procedure, the Florida Commission on Human Relations, and the Equal Employment Opportunity Commission; and
  - work closely with prosecutorial entities to facilitate the prosecution of criminal cases and coordinate Department activities as required by the **Florida Whistle-blower's Act**.
3. **Regional Safety Consultants** inspect each correctional institution or any place in which inmates are housed, worked, or kept within the state, with reference to its physical conditions, cleanliness, sanitation, safety, and comfort. Areas of responsibility include:
- conduct semiannual inspections at all the Department's facilities and the seven private prisons managed by the Department of Management Services;
  - accompany state fire protection specialists of the Division of State Fire Marshal during annual fire safety surveys;
  - conduct annual fire, environmental health, and Occupational Safety and Health Administration (OSHA)-related safety inspections of new, renovated, and current institutions, followed by the on-site verification of corrected violations; and
  - conduct training sessions for Loss Control Management to include accident investigation, general safety awareness, damaged or lost property coverage, and a review of workers' compensation issues.

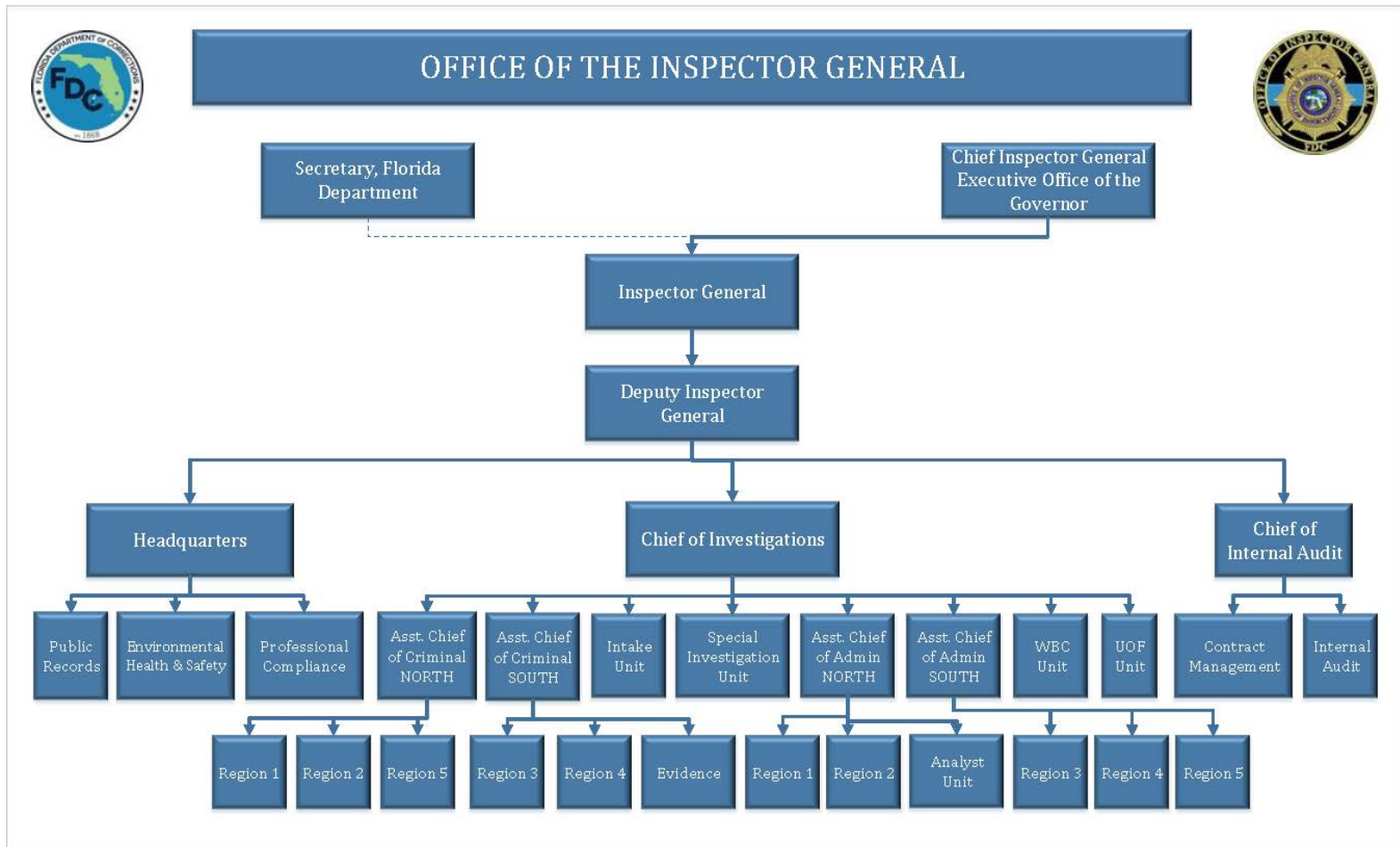


## OFFICE OF INSPECTOR GENERAL ACCREDITATION

The Office of Inspector General continues to maintain its accreditation status through the Commission for Florida Law Enforcement Accreditation (The Commission). The Office was reaccredited in the fall of 2018. Complying with standards that are “best practices” in the Office of Inspector General (OIG) community and based on the national recognized “Green Book.” In their report to the Commission, the assessment team wrote, “[m]embers of the FDC-OIG are professional, well trained and enthusiastic. The procedures of the FDC-OIG are sound, allow for efficient workflow and are compliant with Florida Statutes, agency policy, accreditation standards and established principles and standards for the investigative functions of an Office of the Inspector General.” Being accredited has long been recognized as a means of maintaining the highest standards of professionalism. K-12 Schools, universities, and hospitals are some of the most well-known organizations who also seek an accreditation status. The Office was first accredited by the Commission in 2015.



# OFFICE OF INSPECTOR GENERAL ORGANIZATIONAL CHART



## **BUREAU OF INTERNAL AUDIT**

### **Mission**

The mission of the Bureau of Internal Audit is to support the Chief Inspector General, the Secretary, and the Department by ensuring:

1. established objectives and goals are met;
2. resources are used consistent with laws, regulations, and policies;
3. resources are safeguarded against waste, loss, and misuse; and
4. reliable data is obtained, maintained, and fully disclosed.

### **Goals**

The Bureau of Internal Audit's primary purpose is to proactively assist management in successfully meeting the Department's mission and established objectives. To meet its purpose, the Bureau of Internal Audit has four key goals:

1. perform quality audits and reviews;
2. report results to management in a timely manner;
3. ensure Department resources are used efficiently; and
4. provide adequate audit/review coverage to mitigate risks.

### **Bureau Organization and Responsibilities**

The Bureau of Internal Audit comprises two sections: Internal Audit and Contract Management Review. These sections report to the Bureau Chief, a Certified Internal Auditor, who functions as the Director of Auditing. The Bureau of Internal Audit conducts compliance, performance, and information technology audits and contract reviews pursuant to Section 20.055, Florida Statutes. To accomplish the mission and to achieve the goals of the Bureau of Internal Audit, staff perform audits and contract management reviews designed to identify systemic issues that impact the economy and efficiency of the Department's operations and programs and/or to identify internal control deficiencies in the prevention, deterrence, and detection of fraud.

The Bureau views its audit and contract management review mandate as an opportunity to not only identify deficiencies and problems with statewide impact, but also to identify areas that are well designed and are meeting management's goals. All audits are conducted in accordance with the current *International Standards for the Professional Practice of Internal Auditing* published by the Institute of Internal Auditors.

The internal audit staff possesses accounting and auditing experience. Staff are required to maintain professional proficiency through continuing education and training. Staff are active in the following professional organizations: Institute of Internal Auditors and Association of Inspectors General.

### **Internal Audit Section**

This section employs an audit supervisor and five auditors who perform compliance, performance, and information technology audits. Staff certifications include two Certified Internal Auditors, one Certified Inspector General Auditor, two Certified Public Accountants, and one Certified Government Auditing Professional.

During Fiscal Year 2020-21, the Internal Audit Section completed 16 audits, one follow-up audit, and three reviews as listed in the following table by report date.

### **Fiscal Year 2020-21 Audit Reports and Reviews**

<b>Report Number</b>	<b>Project Title</b>	<b>Report Date</b>
A20010	<i>Audit of Employee Benefit Trust Fund – Apalachee Correctional Institution</i>	07/14/2020
R21001	<i>Certification of Reports Pertaining to Filled and Vacant Positions, Overtime, and Recruitment Efforts – 4<sup>th</sup> Quarter 2019-20</i>	07/14/2020
R21004	<i>Certification of Reports Pertaining to Filled and Vacant Positions, Overtime, and Recruitment Efforts – Fiscal Year 2019-20</i>	07/29/2020
A20016	<i>Audit of Employee Benefit Trust Fund – Charlotte Correctional Institution</i>	08/04/2020
R20008	<i>Review of Inmate Deaths</i>	08/07/2020
A20019	<i>Audit of Employee Benefit Trust Fund – Dade Correctional Institution</i>	09/01/2020
A20007	<i>Audit of the Florida Department of Corrections' Memorandum of Understanding with the Department of Highway Safety and Motor Vehicles for the Use of Driver and Vehicle Information Database (DAVID)</i>	09/03/2020
A20013	<i>Audit of Employee Benefit Trust Fund – Gadsden Re-Entry Center</i>	09/21/2020
A20020	<i>Audit of Employee Benefit Trust Fund – Putnam Correctional Institution</i>	09/24/2020
A21002	<i>Audit of Employee Benefit Trust Fund – Hernando Correctional Institution</i>	10/27/2020
A20014	<i>Audit of the Prison Rape Elimination Act (PREA)</i>	11/23/2020
A21007F	<i>Follow-up Audit to the Auditor General, Report No. 2020-192</i>	12/03/2020
A21003	<i>Audit of Employee Benefit Trust Fund – Florida Women's Reception Center</i>	12/04/2020
A21008	<i>Audit of Employee Benefit Trust Fund – Zephyrhills Correctional Institution</i>	12/09/2020
A21012	<i>Audit of Employee Benefit Trust Fund – Homestead Correctional Institution</i>	02/04/2021
A21013	<i>Audit of the Florida Department of Corrections' Community Released Centers – Inmate Assignment</i>	04/22/2021
A21010	<i>Audit of Regional Evidence Control Areas</i>	05/04/2021
A21015	<i>Audit of the Florida Department of Corrections Arsenal and Ready Room Equipment</i>	06/22/2021
A21006	<i>Audit of the Employee Discipline Process at the Florida Department of Corrections</i>	06/24/2021
A21009	<i>Audit of the Florida Department of Corrections' Staff Housing Program</i>	06/29/2021

Source: Bureau of Internal Audit

## **Audit Engagements**

Audit Engagement Reports issued in Fiscal Year 2020-21 included:

### Audit of Employee Benefit Trust Fund – Apalachee Correctional Institution

Audit staff found cash proceeds were collected and deposited as required, and bank reconciliations were performed. Audit staff determined that internal controls over cash receipts were adequate to prevent, deter, and detect fraud. Examples of such controls include evidence where exchanges of cash were documented by signed receipts and prenumbered documents, and the daily sales reports were initialed by the reviewer, indicating the comparison and verification that sales were deposited intact. This audit did not identify any deficiencies; therefore, no findings and recommendations are presented in this audit report.

### Audit of Employee Benefit Trust Fund – Charlotte Correctional Institution

Audit staff found cash proceeds were collected and deposited as required, and bank reconciliations were performed. Audit staff determined that internal controls over cash receipts were adequate to prevent, deter, and detect fraud. Examples of such controls include evidence where exchanges of cash were documented by signed receipts and prenumbered documents, and the daily sales reports were initialed by the reviewer, indicating the comparison and verification that sales were deposited intact. This audit did not identify any deficiencies; therefore, no findings and recommendations are presented in this audit report.

### Audit of Employee Benefit Trust Fund – Dade Correctional Institution

Audit staff found cash proceeds were collected and deposited as required, and bank reconciliations were performed. Audit staff determined that internal controls over cash receipts were adequate to prevent, deter, and detect fraud. Examples of such controls include evidence where exchanges of cash were documented by signed receipts and prenumbered documents, and the daily sales reports were initialed by the reviewer, indicating the comparison and verification that sales were deposited intact. This audit did not identify any deficiencies; therefore, no findings and recommendations are presented in this audit report.

### Audit of the Florida Department of Corrections' Memorandum of Understanding with the Department of Highway Safety and Motor Vehicles for the Use of Driver and Vehicle Information Database (DAVID)

Based on the provisions of Section 282.318, Florida Statutes, Security of Data and Information Technology Resources, the results of this audit are confidential and exempt from the provisions of Section 119.07(1), Florida Statutes.

### Audit of Employee Benefit Trust Fund – Gadsden Re-Entry Center

On the day of visit, audit staff found there was no cash on hand to be counted. The cash from the canteen was collected and deposited into the local bank prior to our visit. Audit staff found cash proceeds were collected and deposited as required, and bank reconciliations were performed. Audit staff determined that internal controls over cash receipts were adequate to prevent, deter, and detect fraud. Examples of such controls

include evidence where exchanges of cash were documented by signed receipts and prenumbered documents, and daily sales reports were initialed by the reviewer, indicating the comparison and verification that sales were deposited intact. This audit did not identify any deficiencies; therefore, no findings and recommendations are presented in this audit report.

#### Audit of Employee Benefit Trust Fund – Putnam Correctional Institution

Audit staff found cash proceeds were collected and deposited as required, and bank reconciliations were performed. Audit staff determined that internal controls over cash receipts were adequate to prevent, deter, and detect fraud. Examples of such controls include evidence where exchanges of cash were documented by signed receipts and prenumbered documents, and the daily sales reports were initialed by the reviewer, indicating the comparison and verification that sales were deposited intact. This audit did not identify any deficiencies; therefore, no findings and recommendations are presented in this audit report.

#### Audit of Employee Benefit Trust Fund – Hernando Correctional Institution

Audit staff found cash proceeds were collected and deposited as required, and bank reconciliations were performed. Audit staff determined that internal controls over cash receipts were adequate to prevent, deter, and detect fraud. Examples of such controls include evidence where exchanges of cash were documented by signed receipts and prenumbered documents, and daily sales reports were initialed by the reviewer, indicating the comparison and verification that sales were deposited intact. This audit did not identify any deficiencies; therefore, no findings and recommendations are presented in this audit report.

#### Audit of the Prison Rape Elimination Act (PREA)

Audit staff determined the Department was in compliance with applicable PREA grants and Department procedure; and internal controls exist to adequately prevent, deter, and detect fraud. The audit did not identify any deficiencies; therefore, no findings and recommendations are presented in this audit report.

#### Audit of Employee Benefit Trust Fund – Florida Women’s Reception Center

Audit staff found cash proceeds were collected and deposited as required, and bank reconciliations were performed. Audit staff determined that internal controls over cash receipts were adequate to prevent, deter, and detect fraud. Examples of such controls include evidence where exchanges of cash were documented by signed receipts and prenumbered documents, and the daily sales reports were initialed by the reviewer, indicating the comparison and verification that sales were deposited intact. This audit did not identify any deficiencies; therefore, no findings and recommendations are presented in this audit report.

#### Audit of Employee Benefit Trust Fund – Zephyrhills Correctional Institution

Audit staff found cash proceeds were collected and deposited as required, and bank reconciliations were performed. Audit staff determined that internal controls over cash receipts were adequate to prevent, deter, and detect fraud. Examples of such controls include evidence where exchanges of cash were documented by signed receipts and

prenumbered documents, and the daily sales reports were initialed by the reviewer, indicating the comparison and verification that sales were deposited intact. This audit did not identify any deficiencies; therefore, no findings and recommendations are presented in this audit report.

#### Audit of Employee Benefit Trust Fund – Homestead Correctional Institution

Audit staff found cash proceeds were collected and deposited as required, and bank reconciliations were performed. Audit staff determined that internal controls over cash receipts were adequate to prevent, deter, and detect fraud. Examples of such controls include evidence where exchanges of cash were documented by signed receipts and prenumbered documents, and the daily sales reports were initialed by the reviewer, indicating the comparison and verification that sales were deposited intact. However, audit staff found that one of the internal controls was not implemented as designed and warrants management's attention.

**Finding:** The reviewer did not initial the validated deposit slips as required by procedure.

**Recommendation:** The Warden ensure the reviewer initial all validated deposit receipts as required by procedure.

#### Audit of the Florida Department of Corrections' Community Released Centers – Inmate Assignment

The scope of this audit included a review of compliance activities relating to a restricted Department procedure. Therefore, the report has been labeled confidential.

#### Audit of Regional Evidence Control Areas

Audit staff found that activities were generally in compliance with Department procedure 108.017, Evidence, Property, and Contraband Collection, Preservation, and Disposition. Evidence or contraband items examined were stored in their respective locations as indicated on the inventory listings provided by Bureau of Investigations personnel. Furthermore, internal controls exist in that the evidence rooms are required to be secured to prevent unauthorized access, and individual evidence or contraband items are required to be sealed to mitigate undetected evidence tampering. Also, at a minimum of twice per calendar year, the Regional Evidence Custodian will review evidence under his/her control to determine what is no longer needed. In addition, a complete inventory of the Regional Evidence Control Area will be conducted whenever a Regional Evidence Custodian or Alternate Evidence Custodian is relieved from duty. There were no exceptions meeting the Bureau of Audit's threshold of materiality to warrant a finding.

#### Audit of the Florida Department of Corrections Arsenal and Ready Room Equipment

The scope of this audit included a review of compliance activities relating to a restricted Department procedure. Therefore, the report has been labeled confidential.

#### Audit of the Employee Discipline Process at the Florida Department of Corrections

Based on the provisions of Section 282.318, Florida Statutes, Security of Data and Information Technology Resources, the results of this audit are confidential and exempt from the provisions of Section 119.07(1), Florida Statutes.



## Audit of the Florida Department of Corrections' Staff Housing Program

Audit staff found internal controls, which include monthly verifications performed by central office staff, were adequate to prevent, deter, and detect fraud. However, audit staff found internal controls were not always implemented as designed; as a result, payments for staff housing were not always made as required as discussed in the finding below.

**Finding:** Some employees were living in staff housing but not paying as required.

**Recommendation:** The Office of Institutions take action to ensure monthly housing verifications are completed and accurate.

**Recommendation:** The Office of Institutions conduct a full retroactive accounting of the 14 individuals who utilized but did not pay for staff housing to determine if any additional funds are due for staff housing.

## **Follow-up to External Audits**

### Follow-up Audit to the Auditor General's Department of Corrections Correctional Officer Recruitment, Certification, and Training and Selected Administrative Activities, Report No. 2020-192, Issued in April 2020

Audit staff has evaluated the follow-up responses and documentation provided. The report has ten findings. The Department has taken steps to address the findings identified in the Auditor General's report. Findings four, seven, and eight have been corrected. However, additional work needs to be performed to correct the following seven findings.

**Finding:** Department records did not evidence that all staff who served on a special operations team during the period July 2017 through March 2019 completed required training.

**Recommendation:** Department management enhance records retention controls to ensure that Department records identify all Department staff assigned to a special operations team and evidence the completion of each team member's required training. In addition, Department management consider expanding training opportunities to help ensure that all team members timely receive required training.

**Finding:** Department records for some first aid instructors did not evidence that the instructors possessed an active CPR certification during the times certain CPR classes were taught.

**Recommendation:** Department management enhance controls to ensure that first aid instructors possess and maintain an active CPR certification in accordance with DLE rules and that evidence of such certification is appropriately documented in Department records.

**Finding:** Department records did not always evidence that correctional officers completed required training prior to administering drug and alcohol tests at Department institutions.

**Recommendation:** Department management enhance training information entry and retention controls to ensure that Department records evidence that COs (Correctional Officer) complete the manufacturer and Department training for utilizing on-site drug tests prior to performing tests.

**Finding:** Department processes for recovering correctional officer hiring bonuses from employees who did not meet their service obligation to the Department need improvement.

**Recommendation:** Department management enhance controls to ensure that:

- Hiring bonus amounts owed to the Department are deducted from employees' final salary or leave payments.
- Former COs are timely notified of hiring bonus amounts owed to the Department.
- Amounts owed to the Department are timely referred to the DFS for collection in accordance with State law and Department policies and procedures.

**Finding:** Department controls for timely disabling access privileges to the Employee Training Records and Instruction Network need enhancement.

**Recommendation:** Department management strengthen controls related to the timely disabling of E-Train IT access privileges.

**Finding:** Department procedures had not been established to ensure that text messages are retained in accordance with State law.

**Recommendation:** Department management establish procedures to ensure that text messages are retained in accordance with State law.

**Finding:** Department records did not evidence that employees assigned mobile devices had read and understood Department policies and procedures related to the use of mobile devices and the protection of sensitive data.

**Recommendation:** Department management strengthen controls to ensure that completed logs are retained for all mobile devices assigned to employees to conduct Department business.

## Contract Management Review Section

The Contract Management Review Section employs a supervisor and four auditors. Staff certifications include one Certified Inspector General Auditor and one Florida Certified Contract Manager. In Fiscal Year 2020-21, the Contract Management Review Section completed seven contract management reviews and two follow-up contract management reviews as listed in the following table by report date.

<b>Fiscal Year 2020-21 Contract Management Review Reports</b>		
<b>Report Number</b>	<b>Project Title</b>	<b>Report Date</b>
CMR20003	<i>The Salvation Army, Contract C2909</i>	<i>8/25/2020</i>
CMR19011	<i>The Transition House, Managed Inmate Trust Fund, Contract C2804</i>	<i>10/15/2020</i>
CMR20005	<i>Phoenix Programs of Florida, Inc., Contract C2658</i>	<i>12/8/2020</i>
CMR20007F	<i>Follow-up of Report CMR18005 The Transition House (Kissimmee) Contract C2830</i>	<i>2/15/2021</i>
CMR21003	<i>My Community Cares, Inc., Purchase Orders B781DE and B5FF6A</i>	<i>5/10/2021</i>
CMR20004	<i>Bridges of America - The Bradenton Bridge, Inc., Contract C2876</i>	<i>5/18/2021</i>
CMR21004F	<i>Follow-up of Report CMR18010 Employment Background Investigations, Inc. Contract C2572</i>	<i>6/11/2021</i>
CMR20006	<i>Johnson Controls Fire Protection LP, Contract C2916</i>	<i>6/15/2021</i>
CMR21005	<i>First Step of Sarasota Inc., Contract C2894</i>	<i>6/16/2021</i>

Source: Bureau of Internal Audit

## Contract Management Review Reports

Contract Management Review Reports issued in Fiscal Year 2020-21 included:

### The Salvation Army Contract C2909

Contract Management Review staff found the delivery of contracted services was monitored by the Department as required by the contract, contract payments were in accordance with contract, and invoices submitted were calculated properly and in accordance with the contract. Contract Management Review staff found a deficiency concerning the documentation of offenders' weekly required counseling and therapeutic activity hours.

**Finding:** Salvation Army did not always document offenders' weekly required counseling and therapeutic activity hours.

**Recommendation:** Contract management ensure that Salvation Army provides and documents the required counseling and therapeutic activity hours to offenders.

#### The Transition House Managed Inmate Trust Fund Contract C2804

Contract Management Review staff determined that Transition House was substantially compliant with requirements for inmates' subsistence charges, savings, bank fees, and support for dependents. Contract Management Review staff also determined that an independent certified public accounting firm had performed audits of the trust fund accounts. However, deficiencies were found concerning Transition House not ensuring that all funds received and deposited were credited to the inmates' trust fund account, not entering paycheck amounts correctly in an inmate trust fund account, and not always remitting court-ordered payments to the Department within the required timeframe.

**Finding:** Transition House did not ensure that all funds deposited by Transition House were credited to the inmates' individual trust fund account.

**Recommendation:** Contract management ensure that all funds deposited by Transition House are credited to the inmates' individual trust fund accounts.

**Finding:** Transition House did not always enter pay deposits correctly into an inmate trust fund account.

**Recommendation:** Contract management ensure that pay deposits are recorded accurately by Transition House in the inmate trust fund accounts.

**Finding:** Transition House did not always remit court-ordered payments to the Department within the required timeframe.

**Recommendation:** Contract management ensure that Transition House remits all court ordered payments to the Department within the timeframe required by the contract.

#### Phoenix Programs of Florida, Inc. Contract C2658

Contract Management Review staff found the delivery of contracted services was monitored by the Department as required by the contract, and contract payments were in accordance with contract. However, Contract Management Review staff found deficiencies concerning documentation of offenders' required counseling and therapeutic activities and completion of Psychosocial Assessments and Individual Treatment Plans.

**Finding:** Phoenix Programs did not always document offenders' weekly required counseling and therapeutic activity hours or monthly required individual counseling sessions.

**Recommendation:** Contract management ensure Phoenix Programs provides and documents the required counseling and therapeutic activity hours and monthly individual counseling sessions to offenders.

**Finding:** Psychosocial Assessments and Individual Treatment Plans were not always completed by Phoenix Programs timely as required by Florida Administrative Code, Chapter 65D-30.

**Recommendation:** Contract management ensure Phoenix Programs completes offenders Psychosocial Assessments and Individual Treatment Plans timely as required by Florida Administrative Code.

My Community Cares, Inc. Purchase Orders B781DE and B5FF6A

Contract Management Review staff found that services were being rendered as required by the contract, the delivery of contracted services was effectively verified and properly monitored, and contract payments were in accordance with the contract and properly documented. This contract management review did not identify any deficiencies; therefore, no findings and recommendations are presented in this report.

Bridges of America - The Bradenton Bridge, Inc. Contract C2876

Contract Management Review staff found that Bridges of America was substantially compliant with contract requirements regarding the inmate trust accounts, program services, and inmate files. Contract Management Review staff also found that the delivery of contracted service was effectively verified and properly monitored by contract management. Contract payments were in accordance with contract and properly documented. However, deficiencies warranting management's attention were identified relating to staffing, personnel file documentation, and visitors' procedures.

**Finding:** Bridges of America did not always have the required staff on the night shift.

**Recommendation:** Contract management ensure that Bridges of America provides the staff coverage required by the contract.

**Finding:** Bridges of America did not always provide documentation required by Florida Administrative Code to be in the personnel files.

**Recommendation:** Contract management ensure that Bridges of America maintains the documentation required by Florida Administrative Code.

**Finding:** Bridges of America did not always provide documentation that staff had undergone required background investigations and E-Verify verification.

**Recommendation:** Contract management ensure that Bridges of America maintains the documentation of background investigations and E-Verify verifications.

**Finding:** Bridges of America did not always provide documentation that staff had received first aid and CPR training.

**Recommendation:** Contract management ensure that Bridges of America maintains the documentation of first aid and CPR training.

**Finding:** Bridges of America did not always provide documentation that staff were current on being screened/tested for tuberculosis.

**Recommendation:** Contract management ensure that Bridges of America maintains the documentation of current tuberculosis testing.

**Finding:** Bridges of America does not have a visitors' procedure to post or provide to visitors.

**Recommendation:** Contract management ensure that Bridges of America provides a visitors' procedure that is posted or provided to visitors.

Johnson Controls Fire Protection LP Contract C2916

Contract Management Review staff found that Johnson Controls generally provided services as stipulated in the contract. Contract Management Review staff determined contract monitoring had been performed annually as required. However, Contract Management Review staff found deficiencies related to documentation of staff qualifications, completion of tuberculosis testing, E-Verify system screenings, and invoicing. Contract Management Review staff also found deficiencies with the time requirement for submission of repair quotes, repairs, and requests for services.

**Finding:** Documentation was not always provided to demonstrate that Johnson Controls' staff were properly qualified.

**Recommendation:** The Bureau of Contract Management and Monitoring ensure Johnson Controls can provide documentation that all staff are qualified as required by contract.

**Finding:** Documentation was not provided that Johnson Controls' staff had been screened/tested for tuberculosis.

**Recommendation:** The Bureau of Contract Management and Monitoring ensure Johnson Controls' staff are screened/tested for tuberculosis and documentation is provided as required by the contract.

**Finding:** Documentation was not provided to demonstrate that the Johnson Controls' staff were screened utilizing the E-Verify system.

**Recommendation:** The Bureau of Contract Management and Monitoring ensure that Johnson Controls' staff are screened by the E-Verify system to confirm the eligibility of their employees to perform services under this contract and that documentation is available for review.

**Finding:** Johnson Controls did not always submit a quote for repairs within five business days after the inspection disclosed a deficiency.

**Recommendation:** The Bureau of Contract Management and Monitoring enforce the requirement for Johnson Controls to submit quotes for inspection deficiency repairs within the time required by the contract.

**Finding:** The Department and Johnson Controls were not always compliant with Florida Administrative Code repair time requirements.

**Recommendation:** The Bureau of Contract Management and Monitoring ensure Johnson Controls is compliant with the Florida Administrative Code's time requirements for repairing non-critical and critical deficiencies.

**Finding:** The Department did not correctly measure the Performance Outcome and Standard relating to Requests for Services.

**Recommendation:** The Bureau of Contract Management and Monitoring ensure Johnson Controls meets the Performance Measure by reviewing all requests for service or amend the contract to allow a sampling of requests for service to be utilized.

**Finding:** The Department paid invoices from Johnson Fire Control without sufficient backup documentation for parts/materials.

**Recommendation:** The Bureau of Contract Management and Monitoring ensure Johnson Controls submits adequate backup documentation for invoices to support parts/materials purchased.

**Auditor's Note to Management:** Contract C2916 contains no contract language that requires Johnson Controls to attempt to find the lowest prices for fire protection repair parts. A worksheet, produced by the Office of Inspector General, Environmental Health and Safety Section and Internal Audit, shows a potential savings to the Department of over \$314,000 from January 2018 to August 2020 if some repair parts were purchased from other vendors by Johnson Controls, even if the part is manufactured by Johnson Controls. Most of the potential savings are due to sprinkler heads that have cost the Department as much as \$348 each which are manufactured by Johnson Controls.

#### First Step of Sarasota, Inc. Contract C2894

Contract Management Review staff found that generally services were being rendered as required by the contract. Contract Management Review staff also found the delivery of contracted services was monitored by the Department as required by the contract. However, Contract Management Review staff found deficiencies related to the documentation of offenders' counseling and therapeutic activity hours and offenders' receipts for payments.

**Finding:** First Step did not always document offenders' weekly required counseling and therapeutic activity hours.

**Recommendation:** Contract management ensure that First Step provides and documents the required counseling and therapeutic activity hours to offenders.

**Finding:** Offenders' receipts for payments to First Step did not always contain sufficient detail.

**Recommendation:** Contract management ensure receipts include sufficient offender payment detail for review.

**Finding:** The Department did not accurately monitor offender receipts.

**Recommendation:** Contract management ensure monitoring tools are completed accurately.

## Follow-up to Contract Management Review

### Follow-up of Report CMR18005 The Transition House (Transition House) - Kissimmee Contract C2830

Contract Management Review staff determined that four of the twelve findings have been corrected. However, contract management needs to perform additional work to address the remaining eight findings.

**Finding:** Transition House did not reduce their invoices nor were they assessed financial consequences as required by contract for staff vacancies.

**Recommendation:** Contract management ensure that Transition House reduces invoices or pays the Department financial consequences for vacant positions as required by contract, including the vacant positions for the periods identified by Contract Management Review staff.

**Finding:** The Department did not always properly monitor Transition House staff vacancies.

**Recommendation:** Contract management monitor Transition House's position vacancies.

**Finding:** Transition House did not always resolve electronic monitoring alarms and review electronic location data/tracking points.

**Recommendation:** Contract management ensure that Transition House resolves alarms and reviews electronic tracking points.

**Finding:** Transition House's personnel files did not document that all staff had the qualifications required by the contract, and that the U.S. Department of Homeland Security's E-verify system had been utilized to ensure employment eligibility of prospective staff.

**Recommendation:** Contract management ensure that Transition House maintains documentation in each employee's personnel file which demonstrates the successful applicant met the requirements of the position at the time of hire, and the E-verify system was utilized to ensure employment eligibility of that individual.

**Finding:** Transition House's personnel files did not contain documentation that all staff had received CPR/First Aid training or had been tested for tuberculosis.

**Recommendation:** Contract management ensure that Transition House maintains documentation that CPR/First Aid training was provided to the employees and that each employee was tested for tuberculosis.

**Finding:** Transition House did not provide the required number of operations staff for inmate supervision on all shifts.

**Recommendation:** Contract management ensure that Transition House provides the required number of staff for inmate supervision on all shifts.

**Finding:** Transition House's educational program did not operate the contractually required minimum number of hours per week.



**Recommendation:** Contract management ensure that Transition House provides educational services for the required number of hours per week.

**Finding:** Transition House did not always document that it provided process group meetings as required.

**Recommendation:** Contract management ensure that Transition House provides process groups as frequently and with the duration required, process groups are led by counselors as required, and Transition House properly documents that it provided those groups as required.

Follow-up of Report CMR18010 Employment Background Investigations Contract C2872

Contract Management Review staff determined that the two findings have been corrected. No further follow-up will be conducted by the Bureau of Internal Audit.



Source: Bureau of Internal Audit

## **ENVIRONMENTAL HEALTH AND SAFETY SECTION**

Due to its unique mission, the Florida Department of Corrections must provide for the environmental health and safety of incarcerated felons, as well as its own employees, volunteers, and visitors. Adherence to established health and safety guidelines is one of the most important responsibilities of every employee and inmate. Section 944.31, Florida Statutes, requires the Department's Office of Inspector General to inspect each correctional institution or any place in which inmates are housed, worked, or kept within the state, with reference to its physical conditions, cleanliness, sanitation, safety, and comfort.

The Environmental Health and Safety Section employs a supervisor who is Certified Inspector General Inspector/Evaluator, four regional safety consultants, and one staff member who supports the Central Office supervisor and serves as a safety consultant for several institutions. Safety consultants conduct semiannual inspections at all the Department's facilities and the seven private prisons managed by the Department of Management Services. The semiannual inspections are performed utilizing a set of 125 standards that were developed utilizing the guidelines set forth by the National Fire Protection Association (NFPA) 101, the Uniform Fire Code, Department of Health Standards and other federal, state and local codes and standards.

In an effort to keep our Department safe, we have designed a program that ensures continual process improvements through persistent monitoring and analysis of all areas where inmates and employees are located. We make revisions to procedures and policies as needed to keep current. A major component of this process is having staff perform semiannual inspections. We continue to implement tools that proactively assist the Department in the area of regulatory compliance for occupational safety, environmental safety, fire and life safety, and responding to emergencies. The expertise and a well-trained staff in the area of Environmental Health and Safety is essential to the development of our compliance program. The staff in this Section are Florida Certified Fire Safety Inspector I, National Bro-Board Certified Fire Safety Inspector I, Certified Fire Extinguisher Technicians, OSHA recognized trainer for General Industry, Certified Mold Identification and Remediation, and Certified ServSafe Managers.

During this year's restructure of the Office of the Inspector General, the Environmental Health and Safety Section was relocated from the Bureau of Internal Audit to a standalone section. As part of this process, the safety staff was afforded the exciting opportunity to change their work locations to a home-based office, permanently teleworking with laptops, cell phones, and vehicles. Teleworking has increased the time available to accomplish inspections, allowing the safety staff to provide reports without being forced to travel to an office, often in an entirely different direction from the inspection site. This allows our time to be utilized more efficiently.

A task force has been set up within the section to secure a process for fentanyl exposure. We have had positive exposures within the Department this year and are in need of a solid, well-defined, clear process to follow, where all staff members understand the dangers of encountering this deadly drug.

The following table represents all findings during the semiannual inspections for Fiscal Year 2020-21.

Regions	Number of Main Units	Main Unit Deficiencies	Number of Annexes	Annex Deficiencies	Number of Work Camps and CRC <sup>1</sup>	Work Camp and CRC Deficiencies	Total Deficiencies
C.O. <sup>2</sup>	8	116	3	20	7	12	148
1	13	464	4	91	11	8	563
2	18	187	3	16	16	96	299
3	10	589	3	84	17	235	908
4	9	161	3	29	12	77	267
<b>Totals</b>	<b>58</b>	<b>1,517</b>	<b>16</b>	<b>240</b>	<b>63</b>	<b>428</b>	<b>2,185</b>

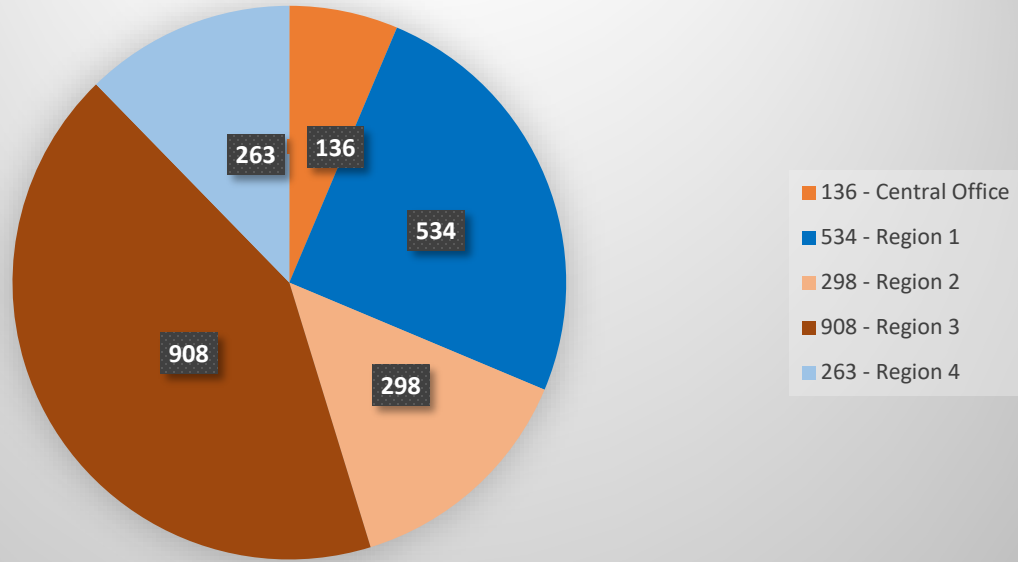
Source: Office of Environmental Health and Safety

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<sup>1</sup> Community Release Center

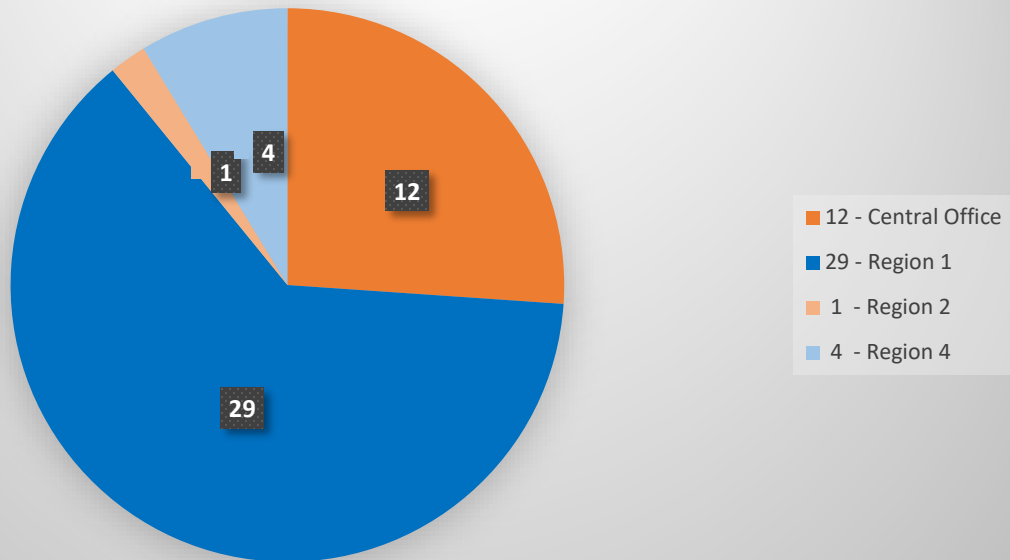
<sup>2</sup> Central Office

## Environmental Health and Safety State Facility Findings



Source: Office of Environmental Health and Safety

## Environmental Health and Safety Private Facility Findings



Source: Office of Environmental Health and Safety

## BUREAU OF INVESTIGATIONS

The Florida Department of Corrections, Office of Inspector General is committed to conducting independent and objective investigations through its Bureau of Investigations. The Bureau of Investigations is responsible for conducting criminal and administrative investigations and providing oversight of all use of force incidents. Our top priorities include investigations into public corruption, deaths, and criminal efforts that compromise the safety and security of our prisons through violence or the introduction of contraband. Completed criminal investigations for which probable cause exists that a crime has occurred are referred to the appropriate prosecutorial entity for consideration for prosecution. Administrative investigations with sustained findings are referred to management for appropriate action. Many of the staff assigned have certifications from the Association of Inspectors General.

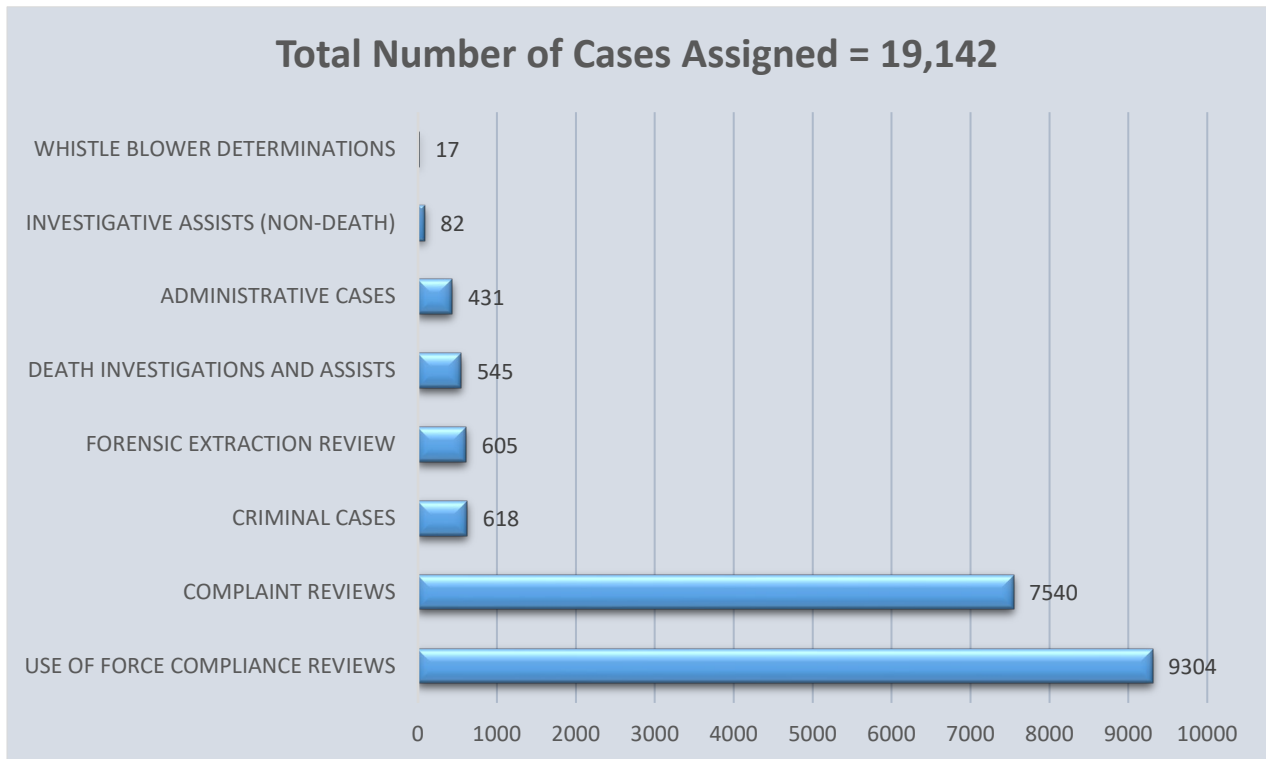
During Fiscal Year 2020-21, the Bureau of Investigations restructured into two separate divisions; Internal Affairs Division and Criminal Investigations Division. This restructuring created a distinct separation of duties between administrative and criminal investigations. Each division was structured to operate with its own designated Inspectors, Supervisors and Assistant Chiefs of Investigation. This restructuring was necessitated by legislation amending Section 112.532(6) Florida Statutes. which took effect in July 2020 and limited the agency's timeframe for initiating discipline for a law enforcement or correctional officer regardless of the origin of the allegation or complaint.<sup>3</sup> With the creation of these two divisions, personnel are now able to specifically focus on their characteristically separate divisional assignments without balancing the aspects of both.

In addition to the creation of Internal Affairs Division and Criminal Investigations Division, an Analyst Unit was created to support investigations and security operations by analyzing intelligence derived from various databases and extracted from contraband cellular phones. The analysis performed by this unit provides a greater opportunity for the early detection and disruption of criminal activity within the Department.

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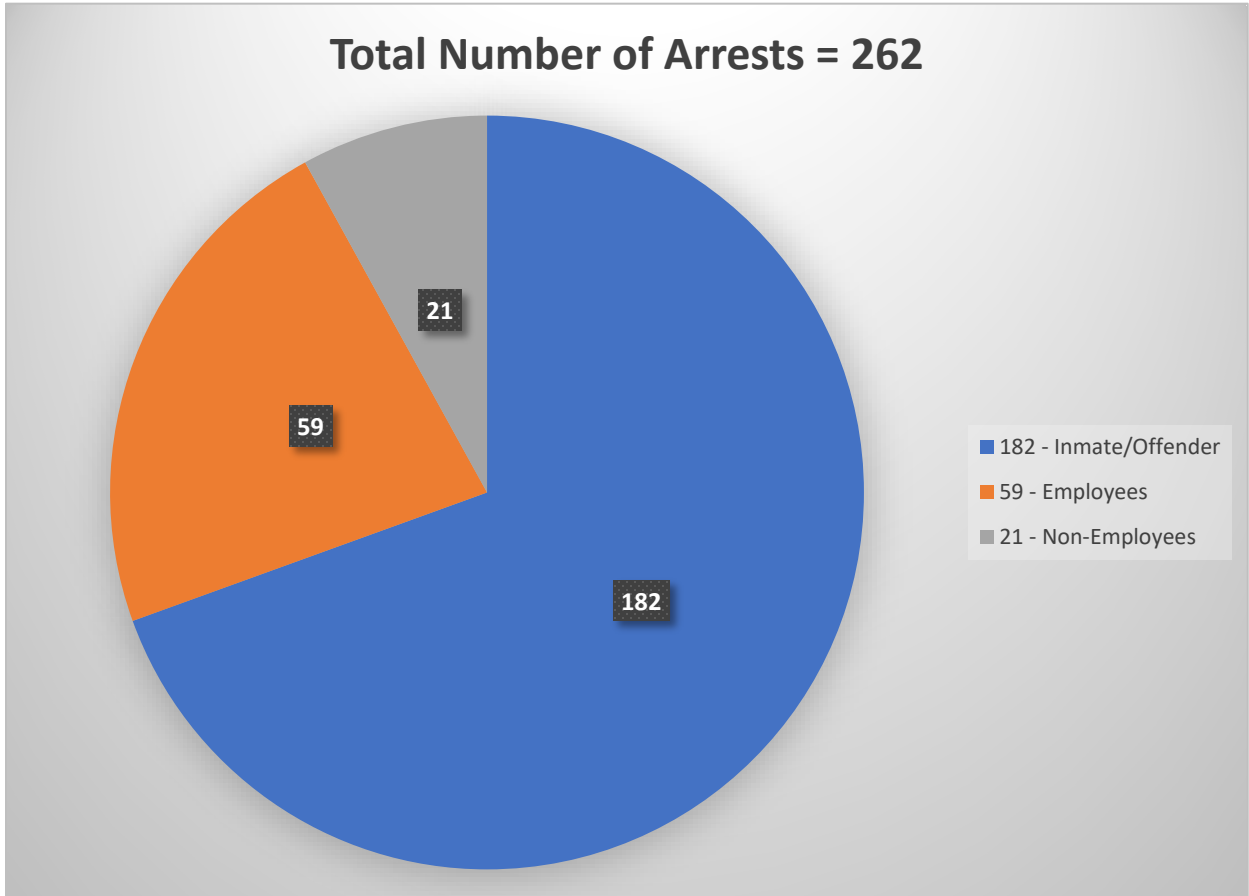
<sup>3</sup> (6) LIMITATIONS PERIOD FOR DISCIPLINARY ACTIONS.—(a) Except as provided in this subsection, disciplinary action, suspension, demotion, or dismissal may not be undertaken by an agency against a law enforcement officer or correctional officer for any act, omission, or other allegation or complaint of misconduct, regardless of the origin of the allegation or complaint, if the investigation of the allegation or complaint is not completed within 180 days after the date the agency receives notice of the allegation or complaint by a person authorized by the agency to initiate an investigation of the misconduct. If the agency determines that disciplinary action is appropriate, it shall complete its investigation and give notice in writing to the law enforcement officer or correctional officer of its intent to proceed with disciplinary action, along with a proposal of the specific action sought, including length of suspension, if applicable.

During Fiscal Year 2020-21, the Office of Inspector General received 56,002 incidents/complaints which resulted in the opening of 19,142 Office of Inspector General cases. A total of 9,304 were cases that involved a use of force compliance review. The remaining incidents/complaints were referred to the Department's management team or other external entities for action deemed appropriate.



Source: IGIS for 07/01/2020 to 06/30/2021

The chart below represents subjects by type in the investigations and the number of individuals arrested for Fiscal Year 2020-21.



Source: IGIS for 07/01/2020 to 06/30/2021

The table below represents the disposition of investigations by the Office of Inspector General for Fiscal Year 2020-21.

<i>Case Disposition</i>	<i>Administrative</i>	<i>Criminal</i>	<i>Total</i>
Exonerated	1		1
Not Sustained	86		86
Partially Sustained	22		22
Sustained	262		262
Policy Deficiency	0		0
Unfounded	15	58	73
Exceptionally Cleared		60	60
Closed by Arrest		144	144
<b>TOTAL</b>	<b>386</b>	<b>262</b>	<b>648</b>

Source: IGIS for 07/01/2020 to 06/30/21

**Exonerated** refers to a finding in an administrative case for which a preponderance of evidence exists to suggest the subject's behavior or action did occur and was consistent with Department procedure, rule, or other authority.

**Not Sustained** refers to a finding in an administrative case for which a preponderance of evidence does not reasonably establish the subject's behavior or action either complied with or violated or was contrary to Department procedure, rule, or other authority.

**Partially Sustained** refers to a disposition of an allegation that is the subject of an administrative investigation, of which the allegation itself is composed of at least two (2) distinct allegations, and of at least one (1) which was sustained.

**Sustained** refers to a finding in an administrative case for which a preponderance of evidence exists to suggest the subject's behavior or action did occur and was contrary to Department procedure, rule, or other authority.

**Policy Deficiency** refers to a finding in an administrative case for which a preponderance of evidence suggests the subject's behavior or action did occur and is not addressed by Department procedure, rule, or other authority or an action Department management does not condone, but is not a violation of a Department procedure, rule, or other authority.

**Unfounded** refers to a disposition of a criminal investigation for which the available evidence suggests the suspect's alleged behavior or action did not occur.

**Exceptionally Cleared** refers to a disposition of a criminal case for which probable cause exists that an identified suspect committed the offense, but one for which an arrest or formal charge is not initiated.

**Closed by Arrest** refers to a disposition of a criminal case for which probable cause exists that an identified suspect committed the offense and an arrest or formal prosecution proceeding has been initiated.



## **Examples of Criminal Investigation Case Summaries**

### Columbia Correctional Institution Annex - Bribery and Introduction of Contraband, Case Number 20-05274

An investigation revealed three security staff members had accepted bribes. Interviews provided the Office of Inspector General with probable cause to obtain subpoenas for Cash App records. A review of the Cash App records confirmed the three security staff members had received monies to introduce contraband into the secure perimeter. The staff members were subsequently arrested for Bribery and Introduction of Contraband into a State facility (Conspiracy). All three security staff members subsequently pled guilty and are awaiting sentencing.

### Columbia Correctional Institution - Inmate on Inmate Aggravated Battery, Case Number 20-20969

An inmate at Columbia Correctional Institution attacked another inmate when the victim would not loan them money for a stake in a card game. The victim left the dayroom and went to their bunk in the bedding area. The subject followed the victim to the bedding area and attacked the victim with a homemade weapon. The incident was captured on video. The case file has been turned over to the State Attorney's Office for prosecution.

### Columbia Correctional Institution - Battery on Law Enforcement Officer, Case Number 20-21330

An inmate at Columbia Correctional Institution threw unidentified fluids, believed to be urine and/or feces on three officers on separate occasions. The inmate subsequently confessed, which provided the State Attorney's Office with a probable cause affidavit for prosecution.

### Lake Correctional Institution - Fraud, Case Number 20-14424

An inmate utilized contraband cellular devices to contact truck drivers and obtain information by "phishing" and posing as a trucking company dispatcher. The inmate utilized that information to contact the trucking company, while posing as a driver, and fraudulently receive funds via check. The inmate would disburse the checks to a network of over 10 accomplices who presented the checks to various truck stops for payment. Based upon the suspect's admission, this criminal scheme had been operating since 2002. Because victims are located throughout the United States, the Office of Inspector General referred this investigation to the FBI and the US Department of Justice for prosecution.

### Columbia Correctional Institution - Battery on Law Enforcement Officer, Case Number 20-15934

An inmate at Columbia Correctional Institution battered five separate officers in four separate incidents by spitting and throwing urine and/or feces on them. All the incidents occurred within a 24-hour period and were captured on video. The State Attorney's Office agreed to prosecute all the incidents under the same case.

#### Sumter Work Camp - Sexual Misconduct, Case Number 20-20909

An officer and an inmate had sexual relations at Sumter Work Camp. The officer was charged with sexual misconduct.

#### Avon Park Correctional Institution - Sexual Misconduct, Case Number 21-03710

A civilian employee was seen on camera having sexual relations with an inmate under their supervision. The employee was charged with Sexual Misconduct with an Inmate.

#### Avon Park Work Camp - Introduction of Contraband, Case Number 21-05458

A civilian employee in the maintenance unit introduced contraband into the Work Camp, specifically a box containing a cell phone, tobacco, hair clippers and various other items. The incident was recorded on video, and the employee subsequently admitted their involvement in the incident. The employee was charged with Introduction of Contraband.

### **Examples of Administrative Investigation Case Summaries**

#### Baker Correctional Institution - Introduction of Contraband, Case Number 20-01518

A staff member reported a supervisor allowed staff to introduce a television, PlayStation, laptop, and cell phone into the control room/secure perimeter of Baker Correctional Institution. An investigation sustained the findings on both staff members. A third staff member was found to have assisted in removing the contraband from the control room. One staff member resigned. Two staff members received supervisory counseling memorandums.

#### Lawtey Correctional Institution – Misconduct, Case Number 20-17677

A staff member admitted to various personal and employment related misconduct during the pre-employment process with a local Sheriff's Office. One of the incidents of misconduct involved a relative of the staff member, who is a former Department employee. Both admitted to the allegations during an administrative investigation. The staff member subsequently resigned after receiving a predetermination conference notice indicating the Department recommended termination.

#### Wakulla Correctional Institution Annex - Introduction of Contraband, Case Number 20-18597

A contract medical nurse supervisor was found to be bringing reading materials inside her purse into the institution and giving the books to inmates. The nurse was interviewed and provided sworn testimony stating the books in question were religious material which was already onsite and were authorized by the facility Chaplain for her to provide to inmate(s). She also stated her coworkers reported her falsely for reasons of retaliation. Witness testimony found both the nurse's incident report to be inaccurate, and her testimony to Inspectors to be untrue. The case was sustained for:

- Violation of Department Rule 33-208.002(10), Rules of Conduct; Willful Violations of Rules and Regulations;
- Violation of Department Rule 33.208.002(6) Rules of Conduct; Failure to Answer Truthfully; and

- Violation of Department Rule 33-208.002 (19), Rules of Conduct; Providing a False Report.

The employee was terminated by the contract company.

Franklin Correctional Institution - Improper Conduct, Case Number 20-10789

Following a conversation with a coworker, a Correctional Officer Trainee (Trainee) didn't realize they hadn't hung up the phone properly. As such, the Trainee's subsequent conversations with inmates were overheard by the coworker. The Trainee was heard using racial slurs and interacting with inmates in an unprofessional manner. The coworker immediately called the Shift Officer in Charge, who recorded the audio of these conversations and captured video security footage of these interactions. The Trainee failed to answer honestly during subsequent questioning by the Shift Officer in Charge. The Trainee was found to be in Violation of Department Rule 33-208.002(3)(a), Florida Administrative Code, Improper Conduct and in Violation of Department Rule 33.208.002(6) Administrative Code, Failure to Answer Truthfully. The employee was terminated by the Warden.

Reception and Medical Center - Sexually Explicit Communications, Case Number 21-00600

A staff member had been sending sexually explicit communications and photographs to at least 10 inmates at Reception and Medical Center West Unit. An administrative investigation revealed the staff member would initiate communication with inmates for the specific purpose of sending them sexually explicit communications and photographs. The investigation also found the staff member had been using a fictitious name to communicate with inmates and had been engaged in these activities for approximately two years. The staff member subsequently resigned.

Circuit 4 Probation & Parole - Falsifying Official Records, Case Number 21-00709

A staff member falsified case notes regarding contacts made with an offender under their supervision. The case was closed as sustained for falsifying official records. The staff member resigned while under investigation.

Union Correctional Institution - Failure to Maintain a Professional Relationship, Case Number 21-01169

A staff member was sending JPay communications and money to an inmate under their supervision. The case was closed as sustained for failing to maintain a professional relationship with inmates and falsifying records.

Circuit 5 Probation & Parole - Failure to Maintain a Professional Relationship, Case Number 21-01894

A staff member was involved in a personal relationship with an offender under their supervision. The relationship progressed to the offender spending time at the staff member's home on several occasions, including holidays and special family functions. The case was closed as sustained for failing to maintain a professional relationship. The subject staff member resigned while under investigation.

Lowell Correctional Institution - Failure to Maintain a Professional Relationship, Case Number 21-04721

A staff member was sending JPay communications to an inmate under their supervision. The case was closed as sustained for failure to maintain a professional relationship with inmates, conduct which violates state law and conduct unbecoming a public employee. The subject staff member resigned while under investigation.

**Florida Department of Law Enforcement Criminal Justice Standards and Training Commission**

The Florida Department of Corrections, Office of Inspector General maintains a strong professional working relationship with the Florida Department of Law Enforcement, Criminal Justice Standards and Training Commission (CJSTC). Specifically, within the Florida Department of Law Enforcement is the Criminal Justice Professionalism Division, in which the Office of Inspector General is responsive and accountable to, in providing CJSTC-78 Internal Investigation Report referrals, reporting the disposition of an investigation in which the subject was a sworn law enforcement officer, correctional officer or correctional probation officer as defined in Section 943.10, Florida Statutes. This accountability and reporting by the Office of Inspector General provides the means for the licensing authority of the State of Florida for Sworn Officers, the ability to review and administer appropriate administrative sanctions against the officer's certification in instances when an officer is found in violation of Florida Statutes and/or Commission standards.

**ADMINISTRATION AND MANAGEMENT**

The Florida Department of Corrections, Office of Inspector General, has additional responsibilities beyond conducting audits and investigations. The responsibilities represent a substantial workload for the Office of Inspector General and include performing reviews relating to use of force incidents, responding to requests for records, and processing complaints.

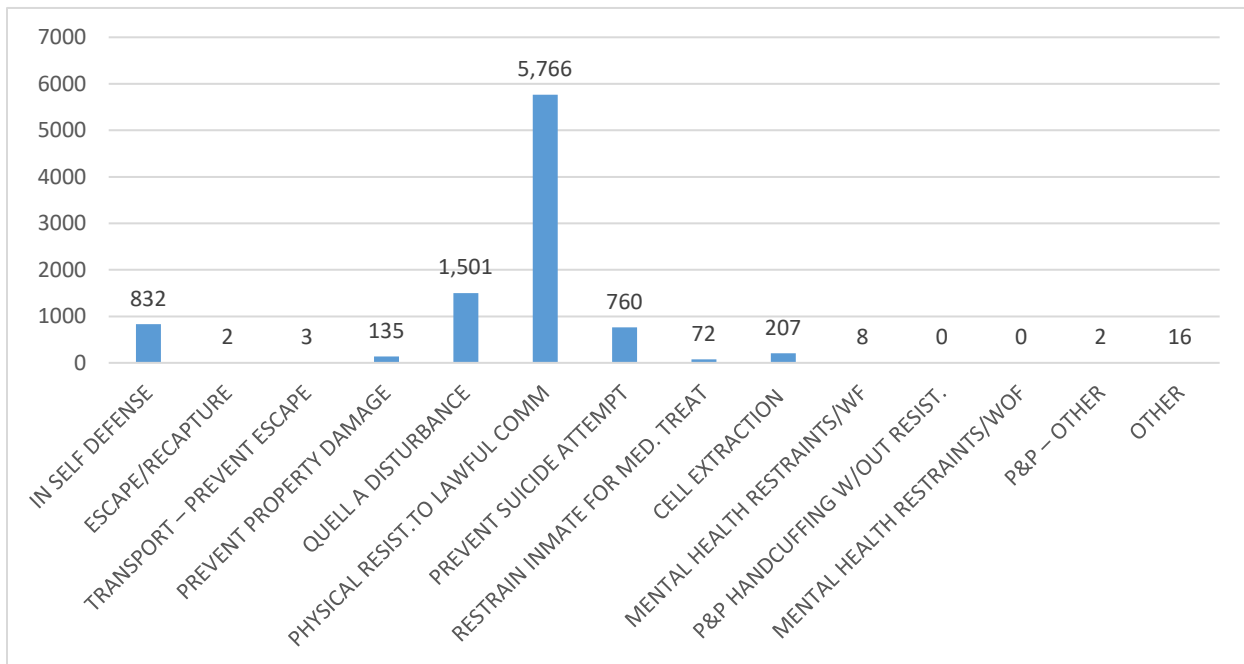
**Use of Force Unit**

Established in 1999, the Use of Force Unit, comprised of six law enforcement and correctional inspectors responsible for reviewing all incidents involving the use of force at state and private correctional facilities, and those involving probation officers. These reviews ensure compliance with established rules, procedures, and statutes. Section

944.35, Florida Statutes, requires the Office of the Inspector General to conduct a review of the force used as in compliance or not in compliance with applicable laws and rule.

To accomplish this mission, the Use of Force Unit independently reviews and evaluates all use of force incident reports, associated documents, and video recordings as required from each correctional facility or office. Evidence indicating possible procedural violations, inmate abuse, excessive/improper/unauthorized force, or battery by staff is referred for investigation.

The following chart reflects use of force incidents reported to the unit in Fiscal Year 2020-21.



Source: IGIS for 07/01/20 to 06/30/2021

## Records Unit

The Office of Inspector General Records Unit has received more than 720 requests for records this fiscal year. Many Office of Inspector General records such as complaints, investigations, inmate telephone calls, videos, and audio recordings have been provided in response to court orders, litigation, subpoenas, external background investigations, accreditation (ACA and CFA), and pursuant to Sections 943.1395(5), 112.532(4)(b) and 119.01 Florida Statutes. Requests for records are made by the general public, inmates, private attorneys, media outlets, Department staff, other state agency personnel, and federal agency personnel. The Records Unit staff accomplished a major task which consisted of reducing the need for physical storage space of files by verifying a copy of any physical record was electronically stored. Over 200 boxes of files were removed from storage and shredded. This extensive project helped to get one step closer to our

concerted efforts of becoming paperless. Around August 2020, the tracking system for sustained administrative cases was technologically improved which now allows for cases and notifications to be sent electronically to disciplinary authorities. This was another key component towards our paperless efforts and has also drastically decreased mailing and paper supply expenses.

## **Central Intake Unit**

The Office of Inspector General's Central Intake Unit is staffed by four Law Enforcement Inspectors, a Crime Analyst, and an Inspector Supervisor who work together to ensure all reportable incidents, complaints, correspondence, and Prison TIPS Line calls that occur in any Department facility or office and involve Department staff, inmates, probationers, visitors, volunteers or contractors, are reviewed in accordance with procedures and directives.

The Office of Inspector General Intake Unit also reviews referrals from the Office of the Chief Inspector General, Florida Department of Law Enforcement, other governmental entities, and law enforcement partners for appropriate handling.

After review and a determination being made as to how the complaint will be handled, the information is entered into the Inspector General's Investigative and Intelligence System (IGIIS) and assigned to one of the Office of Inspector General's field offices or specialized units for investigation. For those incidents not investigated by the Office of Inspector General Office, the Intake Unit notifies the proper management authority of the decision so that action can be taken as best deemed appropriate.

The Intake Unit reviewed 56,002 incidents as reported within the Management Information Notification System (MINS) and reviewed and processed 2,964 pieces of correspondence submitted via letter, electronic complaint, e-mail, phone call, walk-in, inter-agency and external agency referrals. The Intake Unit assigned 19,142 cases within IGIIS. The Office of Inspector General Electronic Complaint form can be accessed at <http://www.dc.state.fl.us/apps/igcomplaint.asp>.

MINS is used to keep designated personnel informed of events that occur on Department property or concerning Department staff, inmates, offenders, and other activity throughout the state. This information network:

- provides an incident/event reporting system for all areas of the Department, enabling early identification of problems and timely allocation of investigative and corrective resources;
- collects statewide data for use by key personnel in developing strategies to address areas of concern;
- provides timely flow of information to management and, through the Public Information Office, to the public; and
- leads Department efforts to maintain cooperative working relationships with Florida Department of Law Enforcement and other law enforcement agencies.

## Prison TIPS

The “Prison TIPS Line” serves as a portal for the reporting of information related to:

- 1) Criminal activity
- 2) Prison Rape Elimination Act (PREA) issues
- 3) Fraud, waste, and misuse of public funds
- 4) Human Trafficking
- 5) Abuse, intimidation, neglect, or exploitation of the elderly and/or disabled



While the “Prison TIPS Line” was established for the specific purpose of reporting the types of incidents listed above, other types of information are routinely reported on the “TIPS line.” Some examples would include gang activity, the location of contraband or weapons, threats against staff or inmates, probation violations, absconder locations, suspected abuse of inmates’ children, and requests for interviews.

Inmates, probationers, family members, employees, or any other person that has knowledge of these types of activities can use the “TIPS Line” to provide information anonymously. Inmates can access the “TIPS Line” by dialing \*TIPS (Star 8477) from any inmate phone within a Department facility. Civilians and employees, as well as inmates housed at private facilities, can access the “Prison TIPS Line” by calling a tollfree number (1-866-246-4412).

Inmates have the option of requesting a voice mailbox, which can be accessed using a unique pass code. The voice mailbox, which can be used anonymously, provides a mechanism by which the caller may exchange messages and information with the Office of the Inspector General. Only a limited number of staff assigned to or designated by the Intake Unit can access messages left on the “Prison TIPS Line.”

Calls are reviewed, analyzed, prioritized, and referred for handling by the Intake Unit. Each call is assessed on a case-by-case basis. Calls pertaining to security matters, such as threats to staff, the location of weapons, or conspiracies to introduce contraband, are generally referred directly to the warden at the affected institution. Information relating to gang activity is forwarded to the institution, as well as to the Office of Intelligence. Calls that indicate a possible medical or mental health issue are referred to the appropriate program areas within the agency for review and follow-up. Incidents allegedly occurring outside a correctional facility are sent to the law enforcement agency having jurisdiction over the reported incident or activity.

During Fiscal Year 2020-21, approximately 460 reports were generated as a direct result of messages left on the “Prison TIPS line.”



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