

Florida Department of Corrections

Office of Inspector General



Annual Report

Fiscal Year 2016-17



FLORIDA
DEPARTMENT of
CORRECTIONS

Governor

RICK SCOTT

Secretary

JULIE L. JONES

501 South Calhoun Street, Tallahassee, FL 32399-2500

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

September 28, 2017

Julie L. Jones
Secretary
Florida Department of Corrections
501 South Calhoun Street
Tallahassee, Florida 32399-2500

Dear Secretary Jones:

I am pleased to present the Office of Inspector General (OIG) Annual Report for Fiscal Year 2016-2017, provided pursuant to the mandate of Section 20.055(8), Florida Statutes. This report outlines the activities and accomplishments of the OIG for the fiscal year ending June 30, 2017.

This report delineates activities, accomplishments and outcomes performed by the highly dedicated and professional OIG team. Through our audits, environmental health and safety inspections, as well as administrative and criminal investigations, we strive to provide objective and independent products to the Department and external partners. The Office of Inspector General staff is committed to promoting economy, efficiency and effectiveness, to aid the Department in accomplishing its critical mission of *providing a continuum of services to meet the needs of those entrusted to their care, creating a safe and professional environment with the outcome of reduced victimization, safer communities and an emphasis on the premium of life.*

This year, I have included information in this report related to a number of internal and external factors which have caused a quantifiable and harmful impact on resources. The challenges the OIG has encountered involved: 1) taking on additional health and safety inspections for the seven privately managed correctional facilities that had not been historically conducted although required by F.S. 944.31; and 2) enduring staffing losses and recruitment setbacks as a result of the inadvertent negative consequences of new legislation. Our Office of Investigations continues to work toward addressing an unmanageable case load. Some positive progress has been made by setting specific investigative priorities, streamlining processes, and focusing on solvability factors to improve workflow. However, greater strides toward improvement and achieving manageable workload levels could be attained faster by increasing our current investigative human capital levels and complementing resource requirements.

We look ahead to working cooperatively and in close coordination with Department leadership, and state-wide internal and external stakeholders to turn challenges into opportunities for improvement of Florida's correctional and community release programs.

Respectfully submitted,

Lester Fernandez
Inspector General
LF/prs



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September 28, 2017

Eric Miller,
Chief Inspector General
Office of the Chief Inspector General
Room 2103 - The Capitol
Tallahassee, FL 32399-0001

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Lester Fernandez
Inspector General
LF/prs

OFFICE OF INSPECTOR GENERAL EARNS ACCREDITATION



In October 2015, the Office of Inspector General earned accreditation through the Commission for Florida Law Enforcement Accreditation. This is the first time in the history of the Florida Department of Corrections that the Office of Inspector General has earned accreditation. The Office of Inspector General was recommended for accreditation following a series of onsite assessments conducted by a team of Commission for Florida Law Enforcement Accreditation assessors. Following the assessment, the team concluded that the Office of Inspector General was in compliance with 100 percent of the applicable standards for accreditation.

The compliance assessment report submitted to the Commission for Florida Law Enforcement Accreditation stated, "The Florida Department of Corrections', Office of Inspector General is a professional, well trained, well managed and enthusiastic unit and has embraced the culture of the accreditation process." To maintain its accreditation, the Office of Inspector General ensures continued compliance by reviewing and sampling the Office of Inspector General practices to ensure compliance with the Commission for Florida Law Enforcement Accreditation Inspector General Standards, reviewing the Commission for Florida Law Enforcement Accreditation change notices to Inspector General standards by the Standards Review and Interpretation Committee as they relate to the investigative function within the Office of Inspector General written directives, and monitoring changes to the Office of Inspector General written directives and how they affect compliance with the standards. The Office of Inspector General will utilize the PowerDMS suite, which incorporates PowerStandards for policy implementation and adherence of directives. (The Commission for Florida Law Enforcement Accreditation required software).



QUALITY ASSESSMENT REVIEW

Section 11.45(2)(i), Florida Statutes, requires the Office of the Auditor General, once every 3 years to review a sample of internal audit reports at each state agency and determine compliance with current Standards for the Professional Practice of Internal Auditing or, if appropriate, government auditing standards. In September 2016, the Office of the Auditor General published its Quality Assessment Review of the Office of Inspector General's internal audit activity for the period July 2015 through June 2016. The Office of the Auditor General found that the quality assurance program related to the Department of Corrections, Office of Inspector General's internal audit activity was adequately designed to provide reasonable assurance of conformance with applicable professional auditing standards. Also, the Office of Inspector General generally complied with those provisions of Section 20.055, Florida Statutes, governing the operation of State agencies' offices of inspectors general internal audit activities.

HUMAN CAPITAL AND MANAGEMENT CHALLENGES

Environmental Health – Safety and Risk Management Unit

Section 944.31, Florida Statutes, requires the Florida Department of Corrections' 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. Prior to Fiscal Year 2016-17, the Florida Department of Corrections' Office of Inspector General did not have a procedure in place for conducting Environmental Health and Safety Inspections at the Department of Management Services' seven privately-operated correctional facilities. Historically, this responsibility was presumed to be the purview of the Department of Management Services' contract monitor. A review of Section 944.31, Florida Statutes, conducted as a result of a series of health and safety concerns in the privately-operated correctional facilities determined that the statute actually places the responsibility for health and safety inspections on the Florida Department of Corrections, Office of Inspector General. The Environmental Health – Safety and Risk Management Unit in the Office of Inspector General completed unannounced Environmental Health and Safety Inspections at the Department of Management Services' seven privately-operated correctional facilities utilizing the guidelines set forth by Component 5 of the Operational Review Standards, National Fire Protection Agency (NFPA) 101, the Uniform Fire Code, and the Department of Health standards.

Moving forward, the Florida Department of Corrections, Office of Inspector General will conduct semiannual inspections of each private facility to meet the requirement of Florida Statutes and will provide copies to the Department of Management Services. The Florida Department of Corrections, Office of Inspector General will also continue to follow-up on health and safety complaints and allegations of criminal wrongdoing by staff, contractors, and inmates with priority on death, serious injury, sexual abuses and introduction of contraband. Additionally, the Florida Department of Corrections, Office of Inspector General will continue to collaborate with the Department of Management

Services', Office of Inspector General in the referral of administrative complaints and matters for audit consideration to the Department of Management Services Inspector General for appropriate action.

Law Enforcement Employees

The Florida Legislature passed Senate Bill 7022, which was approved by Governor Scott on June 14, 2017, and became law; Chapter 2017-88, Laws of Florida. This bill provided a competitive pay adjustment of five percent to eligible law enforcement employees. The Florida Department of Corrections, Office of Inspector General employees who are law enforcement certified were included in the Governor's Fighting for Florida's Future 2017-2018 Budget to receive the competitive pay adjustment of five percent, but were later excluded in the legislation passed by the Legislature Senate Bill 7022. There is no real justification for the exclusion of the estimated 140 Inspector General law enforcement certified officers from the bill. Except, that perhaps it was an oversight.

Recruiting and retention activities have negatively suffered due to the final language of Senate Bill 7022, which removed the Florida Department of Corrections, Office of Inspector General law enforcement personnel. A number of supervisor applicants have withdrawn interest in Florida Department of Corrections, Office of Inspector General recruitment activities and cited their main reason for not pursuing a career with the Florida Department of Corrections, Office of Inspector General was the legislative exclusion of the Office of Inspector General positions from the law enforcement pay increase. In addition, the Florida Department of Law Enforcement recruited at least three of the Office of Inspector General's law enforcement inspectors since the passage of the Senate Bill, 7022, and additional separations to the Florida Department of Law Enforcement are anticipated due to the 46 new positions the Florida Department of Law Enforcement received to combat terrorism this legislative session.

Contraband Interdiction Unit and Security Threat Intelligence Unit

In the Office of Inspector General's Annual Report for Fiscal Year 2015-16, the Bureau of Investigations reported 1,836 cases that were Contraband Interdiction Unit – Reports. This annual report for Fiscal Year 2016-17 does not include data for the Contraband Interdiction Unit as these operations are no longer under the Office of Inspector General. During the Fiscal Year 2015-16, the Contraband Interdiction Unit and Security Threat Intelligence Unit and their 27 FTEs were reassigned by the Secretary from the Office of Inspector General to the Office of Institutions.

The Contraband Interdiction Unit was responsible for detecting and discouraging the introduction of contraband such as weapons, cellular telephones, and narcotics. Interdiction inspectors conducted unannounced contraband searches with assistance from certified narcotic canine teams. During the interdictions, employees, visitors, volunteers, inmates, vehicles, and facility grounds were searched for contraband. Random interdiction operations and canine sweeps were conducted at all state and private prisons. The Office of Inspector General operated 20 full-time canine teams

comprised of 25 inspectors strategically located throughout the state. The teams participated in interdiction and search operations at prisons and other facilities statewide and provided narcotic canine support for other agencies, including the Federal Bureau of Prisons and local law enforcement agencies. The canine teams also worked closely with institutional inspectors and provided investigative support.

The Security Threat Intelligence Unit (STIU) consisted of a Correctional Programs Administrator and a Correctional Services Consultant. They collected, analyzed, and distributed intelligence related to criminal gang activity both within and outside the state correctional system. The STIU assisted institutional staff by reviewing gang-related incidents as they occur in prison settings and making recommendations for relocating or restricting inmates based on their role in the incident. The STIU not only assisted local, county, state, and federal law enforcement agencies with identifying gang members, but also provided training to the community.

Since these resources have been reassigned, they continue to perform much the same function as an intelligence component under the direction of the Office of Institutions.

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Source: Florida Department of Corrections Recruitment Video June 7, 2017

DEPARTMENT BACKGROUND

As the nation's third-largest prison system, the Florida Department of Corrections 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 97,000 inmates. It also supervises approximately 167,000 offenders through 142 probation offices statewide. The Department employs approximately 24,000 employees, 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

To serve as an independent and objective inspection, audit, and investigative body to promote effectiveness, efficiency, and economy in the Florida Department of Corrections programs and operations, and to prevent and detect crime, fraud, abuse, gross misconduct, mismanagement, and waste.

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

Primary services provided by the Office of Inspector General include the following:

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 technical 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 Government Accountability (OPPAGA), and the Department of Financial Services.

2. **Environmental Health and Safety Officers** provide for the environmental health and safety of inmates as well as Department employees, volunteers, and visitors. Areas of responsibility include:
- accompanying state fire protection specialists of the Division of State Fire Marshal during annual fire safety surveys;
 - conducting annual fire, environmental health and Occupational Safety and Health Administration (OSHA)-related safety inspections of new, renovated and current institutions, and followed by the on-site verification of corrected violations;
 - conducting the environmental health, safety and risk management portion of the operational review process that is performed every two years at all major correctional facilities;
 - conducting 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; and
 - receiving and processing all Risk Management claims to include property damage, general liability, auto, boiler, and machinery, and missing or damaged inmate property.
3. **Certified law enforcement and correctional inspectors** safeguard the integrity of the state's correctional system. The Office of Inspector General has 130 positions that are sworn law enforcement officers or certified correctional 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-base), TIPS line, correspondence, e-mail, and telephone which will result in the opening 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 (FCHR), and the Equal Employment Opportunity Commission (EEOC); and

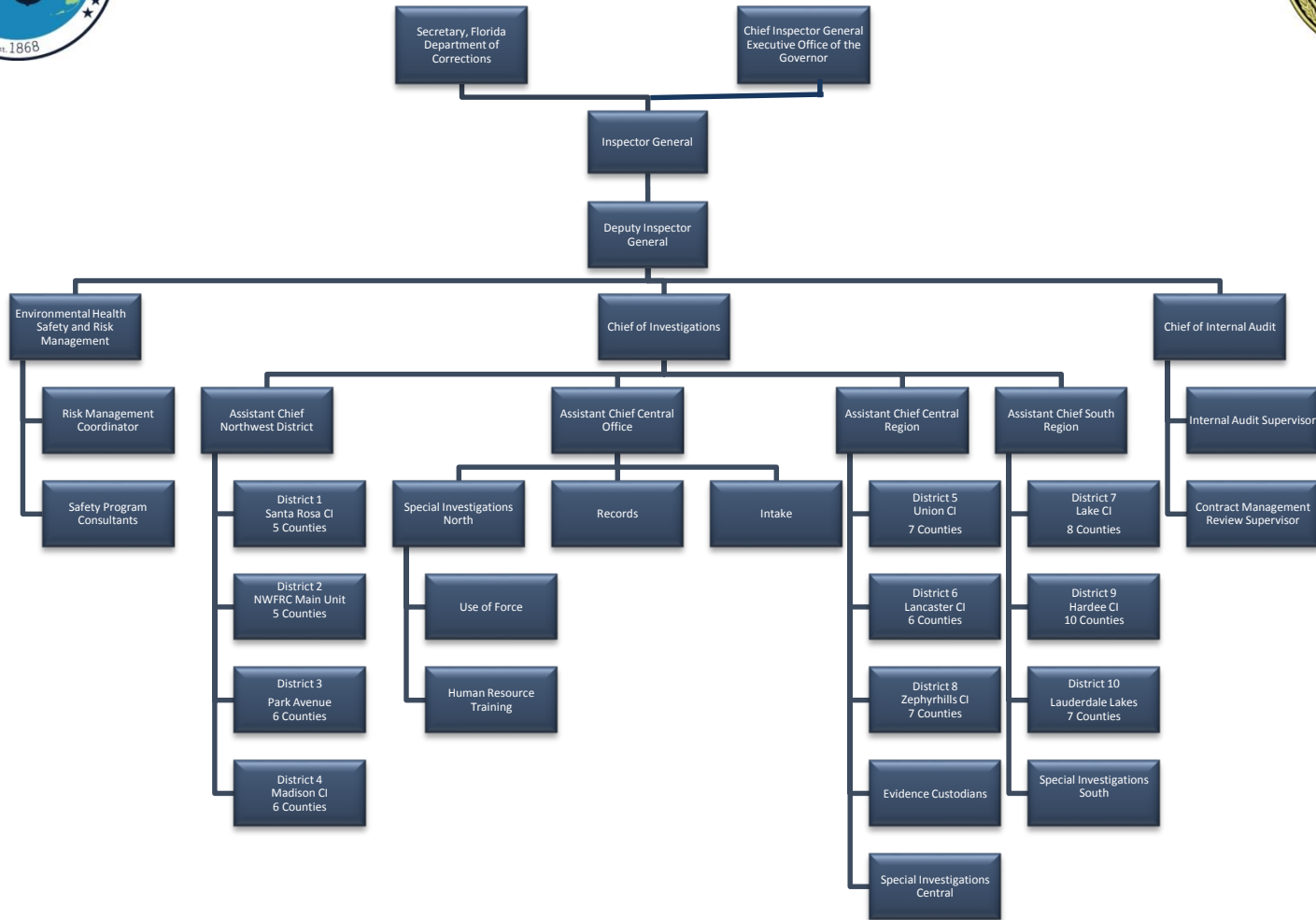
- work closely with prosecutorial entities to facilitate the prosecution of criminal cases; and coordinate Department activities as required by the **Florida Whistleblower's Act**.
4. An **automated management information network (MINS)** to keep designated personnel informed of events that occur on 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.

OFFICE OF INSPECTOR GENERAL ORGANIZATIONAL CHART

The Office of Inspector General consists of two bureaus: Investigations and Internal Audit, and one unit: Environmental Health, Safety, & Risk Management.



OFFICE OF INSPECTOR GENERAL



BUREAU OF INTERNAL AUDIT

Mission

The mission of the Bureau of Internal Audit is to support 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, reviews, and investigations;
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: (1) Internal Audit and (2) 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 including information technology auditing experience. Staff members are required to maintain professional proficiency through continuing education and training. Staff are active in the following professional organizations: Institute of Internal Auditors, Information Systems Audit and Control Association, and Association of Inspectors General.

Internal Audit Section

This section employs an audit supervisor and five auditors who perform compliance and performance audits and reviews and one auditor who performs information technology audits. Staff certifications include two Certified Internal Auditors, one Certified Public Accountant, one Certified Government Auditing Professionals and one Certified Fraud Examiner. During Fiscal Year 2016-17, the Internal Audit section completed five audits, six follow-up audits, and two reviews as listed in the following table by report date.

<i>Fiscal Year 2016-17 Audit Reports and Reviews</i>		
<i>Report Number</i>	<i>Project Title</i>	<i>Report Date</i>
<i>A16013F</i>	<i>Follow-up Audit of the Department of Corrections' Memorandum of Understanding with the Department of Highway Safety and Motor Vehicles for use of DAVID</i>	<i>07/19/16</i>
<i>A16015F</i>	<i>Follow-up Audit of Microsoft Windows and Access Software</i>	<i>07/20/16</i>
<i>A16001</i>	<i>Audit of Internet/Intranet Security Controls</i>	<i>07/26/16</i>
<i>A16019F</i>	<i>Follow-up Audit of Performance Measure – Percent of Inmates Who Successfully Complete GED Education Programs</i>	<i>07/27/16</i>
<i>A16004</i>	<i>Audit of Application Access – Inmate Records Imaging System</i>	<i>08/09/16</i>
<i>A16008</i>	<i>Audit of Inmate Trust Funds for Department-Operated Community Release Centers, Tallahassee Community Release Center</i>	<i>08/17/16</i>
<i>R16014</i>	<i>Quality Assurance Review</i>	<i>08/26/16</i>
<i>A16007</i>	<i>Audit of Tools and Sensitive Items</i>	<i>10/13/16</i>
<i>R17010</i>	<i>Review of Cash Withdrawals Orlando Community Release Center</i>	<i>10/26/16</i>
<i>A17012F</i>	<i>Follow-up Audit of Auditor General's Report No. 2016-179</i>	<i>11/22/16</i>
<i>A16018</i>	<i>Audit of Regional Evidence Control Areas</i>	<i>01/26/17</i>
<i>A17005F</i>	<i>Follow-up Audit of Auditor General's Report No. 2017-038</i>	<i>04/14/17</i>
<i>A17022F</i>	<i>Follow-up Audit of Purchasing Card Program - Vehicle Expense Purchases</i>	<i>06/13/17</i>

Source: Bureau of Internal Audit

Audit Engagements

Audit Engagement Reports issued in Fiscal Year 2016-17 included:

Audit of Inmate Trust Funds for Department-Operated Community Release Centers, Tallahassee Community Release Center

Audit staff found the funds from the inmate earnings were deposited and updated in the inmate trust accounts. Audit staff also found that the weekly inmate cash withdrawals were properly accounted for and distributed or if applicable, credited back into the inmates' trust fund accounts. In addition, audit staff found that overall internal controls, if implemented as designed, exist to adequately prevent, deter, and detect fraud. However, in some instances, internal controls have not been implemented as designed. Audit staff also found instances of non-compliance with the Department rules and procedures.

Finding: Inmate earnings were not always submitted to be deposited in the Inmate Trust Fund.

Recommendation: The Office of Institutions develop a mechanism to track inmate pay periods and expected pay dates, and enforce the requirement that all funds received by employed inmates are submitted to be deposited in the Inmate Trust Fund as required by Department rule.

Finding: Inmates were not always charged the correct subsistence.

Recommendation: The Office of Institutions take steps to ensure that the subsistence charges are in accordance with Department rule.

Finding: Funds to pay Court Ordered Payments System (COPS) obligations are not always deducted from inmates' earnings.

Recommendation: The Bureau of Classification Management timely identify all inmate COPS obligations owed by inmates so monies are deducted and disbursed as required.

Finding: The Department has not ensured employed inmates are supporting their dependents.

Recommendation: The Bureau of Classification Management, in consultation with the Bureau of Finance and Accounting, ensure that inmate Monetary Reimbursement Agreements and Personalized Program Plans are completed correctly and family dependent deductions are made and distributed accordingly.

Finding: Department staff is not using a signed receipt when cash related to inmate weekly withdrawals is passed from one individual to another.

Recommendation: The Warden enforce Florida Department of Corrections Procedure 203.016 to ensure that the exchange of cash is evidenced by a signed receipt.

Finding: Segregation of duties deficiencies exist in the inmate earnings collection process.

Recommendations: The Warden segregate the duties for receipt, recording, and reconciliation. This should also include ensuring that personnel preparing deposit tickets are not the personnel having posting or reconciliation duties. Designated staff perform an independent audit on a monthly basis to ensure that all receipts written are being recorded into the Inmate Trust Fund. An independent staff person that does not have card access but has knowledge of which employed inmates are being paid by debit cards reconcile card transfer and deposit information to the Inmate Trust Fund.

Finding: Inmates at the Tallahassee Community Release Center are not provided a monthly statement detailing the activity in their trust fund accounts.

Recommendation: Institutional staff at the Tallahassee Community Release Center provide monthly account statements to the inmates.

Audit of Tools and Sensitive Items

Audit staff found that in most areas, tool and sensitive item control processes are in compliance with Florida Department of Corrections Procedure 602.037. The accuracy of inventory records was more than 99% at each institution. However, audit staff identified weaknesses that warranted management's attention. The report contained four findings. One of the findings was determined to be confidential information revealing surveillance techniques, procedures or personnel as provided in Section 119.071(2)(d), F.S. The remaining three findings are listed below:



Finding: Tool inventory records did not include all tools at Dade Correctional Institution.

Recommendation: The Office of Institutions take steps to ensure that inventory records include all tools.

Finding: Tool inventory lists are not maintained in all mobile tool storage areas at Dade Correctional Institution and Homestead Correctional Institution.

Recommendation: The Office of Institutions ensure that tool boxes and tool carts retain current tool inventory lists at all times.

Finding: Florida Department of Corrections Procedure 602.037, Tools and Sensitive Items Control, needs to be enhanced.

Recommendation: The Office of Institutions consider updating Florida Department of Corrections Procedure 602.037 to provide consistent descriptions of activities to be performed in regards to tool inventory listings, tool inspection processes, and tool inspection reporting.

Audit of Internet/Intranet Security Control

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 Application Access – Inmate Records Imaging System

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.

Follow-up to Internal and External Audits

Follow-up Audit of 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.

Follow-up Audit of Microsoft Windows and Access Software

The Bureau of Internal Audit performed a follow-up audit to our Audit of Microsoft Windows and Access Software, Report No. A15004. Audit staff found that corrective action has not been taken on the finding identified in the original report as listed below:

Finding: Software inventory is not always updated when users change positions or computers and when computers are replaced.

Recommendations: Office of Information Technology initially conduct an inventory on software records housed in the Technical Infrastructure Management System (TIMS) database to ensure all user and computer names and licenses are accurate and in agreement. Office of Information Technology periodically conduct an inventory on the electronic software inventory housed in the TIMS database. Office of Information Technology implement a mechanism that would require supervisors, when applicable, to notify Software Managers when users change positions or computers and when computers are replaced. This could be through implementation of procedures and working with Office of Human Resources staff to incorporate a requirement in the Supervisor Checklist for Separating Employees, DC2-820.

Follow-up Audit of Performance Measure – Percent of Inmates Who Successfully Complete GED Education Programs

The Bureau of Internal Audit performed a follow-up to the Audit of Performance Measure – Percentage of Inmates Who Successfully Complete General Educational Development (GED) Programs, Report No. A15016. Audit staff found that the Bureau of Research and Data Analysis has taken steps and corrected the finding identified in the original audit report.

Follow-up Audit of Auditor General's Report No. 2016-179

The Bureau of Internal Audit performed a follow-up audit to the Auditor General's Inmate Trust Accounts, Inmate Health Care Services Contracts, and Prior Audit Follow-Up, Operational Audit, Report No. 2016-179. Audit staff found that corrective action has been taken on seven of the nine findings identified in the original report. However two issues remain outstanding as listed below:

Finding: The Department did not submit statutorily required contract performance reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Recommendation: Department management timely prepare and submit reports detailing contract performance to the Governor, the President of the Senate, and the Speaker of the House of Representatives as required by State law.

Finding: As similarly noted in our report No. 2014-066, the Department did not always ensure that a complete physical inventory of tangible personal property, including the accurate update of Department property records for the inventory results, was timely performed.

Recommendation: Department management enhance tangible personal property controls to ensure that a complete annual physical inventory of Department tangible personal property is timely performed and that property records are accurately maintained in accordance with Department of Financial Services rules.

Follow-up Audit of Auditor General's Report No. 2017-038

The Bureau of Internal Audit performed a follow-up audit to the Auditor General's Food Products and Delivery Contract, Operational Audit, Report No. 2017-038. Audit staff found that corrective action has been completed and corrected the finding identified in the original report.

Follow-up Audit of Purchasing Card Program - Vehicle Expense Purchases

The Bureau of Internal Audit performed a follow-up audit to the Audit of Department of Corrections Purchasing Card Program - Vehicle Expense Purchases, Report No. A15028. Audit staff found that corrective action had been taken on the finding identified in the original report.

Contract Management Review Section

The Contract Management Review Section employs a supervisor and four auditors. Staff certifications include one Certified Inspector General Auditor. In Fiscal Year 2016-17, the Contract Management Review Section completed seven contract management reviews and four follow-up contract management reviews as listed in the following table by report date.

<i>Fiscal Year 2016-17 Contract Management Review Reports</i>		
<i>Report Number</i>	<i>Project Title</i>	<i>Report Date</i>
CMR16008	<i>The Transition House, Inc. Dinsmore</i>	10/10/16
CMR16009	<i>The Transition House, Inc. Bartow</i>	10/24/16
CMR17011F	<i>Follow-Up of Contract Language Review</i>	12/06/16
CMR17013F	<i>Follow-Up of Bridges of America – The Santa Fe Bridge, Inc.</i>	03/14/17
CMR16013	<i>SMA Behavioral Health Services, Inc. d/b/a Stewart-Marchman-Act Behavioral Healthcare</i>	05/09/17
CMR17002	<i>Children of Inmates, Inc.</i>	06/06/17
CMR16004	<i>Smart Horizons Career Online High School, LLC</i>	06/08/17
CMR16011	<i>Shisa Corporation Managed Inmate Trust Funds</i>	06/20/17
CMR16002	<i>Unlimited Path of Central Florida, Inc.</i>	06/22/17
CMR17017F	<i>Follow-Up of Bridges of America – The Orlando Bridge, Inc. Managed Inmate Trust Funds</i>	06/23/17
CMR17015F	<i>Follow-Up of Bridges of America – The Turning Point, Inc.</i>	06/28/17

Source: Bureau of Internal Audit

Contract Management Review Reports

The Contract Management Review Section was established in the Office of Inspector General to mitigate risk of loss to the agency by evaluating critical aspects of the Department's contract management systems, methods and practices, and making executive management aware of those risks in a timely manner. To accomplish its purpose, the objectives of the reviews conducted by the Contract Management Review Section consisted of determining the effectiveness of monitoring of contracts by Department staff, the delivery of services by the contractors, and the accuracy of financial payments. The contract management review section also perform contract reviews that focused on contractor managed inmate trust funds. During Fiscal Year 2015-16, the

Contract Management Review Section added a review pertaining to contract language. The objective of this review was to determine if Florida Department of Corrections contract language is in compliance with applicable guidelines including, but not limited to, Florida Statutes, Florida Administrative Code, and Florida Department of Corrections Procedures. The Contract Management Review Section conducted follow-up reviews during this fiscal year to determine if corrective action was taken on reported review findings and whether the action taken corrected the findings in the original report. Contract Management Review reports issued by the Bureau of Internal Audit in Fiscal Year 2016-17 included:

The Transition House, Inc. Dinsmore, Managed Inmate Trust Funds, Contract C2798

Transition House was substantially compliant with requirements in regards to depositing inmate funds, setting aside earnings for savings, and collecting bank fees. An independent certified public accounting firm performed audits of the trust accounts as required by the contract. However, Contract Management Review staff found deficiencies concerning family dependent deductions, subsistence calculations, and court ordered payments that warranted management's attention.

Finding: The Department has not always ordered family dependent deductions.

Recommendation: The Department's Office of Institutions and Division of Development: Improvement and Readiness provide the necessary documentation to Transition House to ensure the Family Dependent Deduction is ordered, if applicable.

Finding: Transition House did not always charge the correct subsistence.

Recommendation: The Department's Office of Institutions and Division of Development: Improvement and Readiness ensure that Transition House computes the subsistence charges in accordance with the contract.

Finding: Transition House did not always remit Court Ordered Payments System (COPS) obligation deductions to the Department as required by the contract.

Recommendation: The Office of Institutions and Division of Development: Improvement and Readiness ensure that Transition House remits all COPS obligations withheld from inmates to the Department within the timeframe as required by the contract.

The Transition House, Inc. Bartow, Managed Inmate Trust Funds, Contract C2804

Transition House was substantially compliant with requirements in regards to charging the correct subsistence, setting aside earnings for savings, and collecting bank fees. An independent certified public accounting firm had performed audits of the trust fund accounts as required by the contract. However, deficiencies were found concerning family dependent deductions, depositing of inmate funds, and court ordered payments that warranted management's attention.

Finding: The Department has not always ordered family dependent deductions.

Recommendation: The Department's Office of Institutions and Division of Development: Improvement and Readiness provide the necessary documentation to Transition House to ensure the family dependent deduction is ordered, if applicable.

Finding: Transition House has not ensured that all inmate funds were deposited into their trust account.

Recommendation: The Department's Office of Institutions and Division of Development: Improvement and Readiness enforce the requirement that Transition House ensure all funds received by inmates are deposited in the Contractor's Trust Account as required by Florida Administrative Code and the contract.

Finding: Transition House did not always remit Court Ordered Payment System (COPS) obligation deductions to the Department as required by the contract.

Recommendation: The Office of Institutions and Division of Development: Improvement and Readiness ensures that Transition House remits all COPS obligations withheld from inmates to the Department within the timeframe as required by the contract.

SMA Behavioral Health Services, Inc. d/b/a Stewart-Marchman-Act Behavioral Healthcare Contract C2849

Contract Management Review staff determined that SMA was substantially compliant with requirements in regards to charging the correct subsistence, court ordered payments, inmate savings, family dependent deductions, and bank fees. Contract Management Review staff also determined that an independent certified public accounting firm had performed audits of the trust fund accounts as required by the contract. However, a deficiency was found concerning an inmate's paycheck deposits into the trust fund account that warranted management's attention.

Finding: SMA did not ensure that all inmate funds were deposited into its trust account.

Recommendation: The Department's Office of Institutions and Division of Development: Improvement and Readiness enforce the requirement that SMA ensure all funds received by inmates are deposited in the Contractor's Trust Account as required by Florida Administrative Code and the contract.

Children of Inmates, Inc. Contract C2853

Contract Management Review staff determined that service was rendered as required by the contract. Children of Inmates provided services that included the identification of incarcerated parents and their children, family needs assessments to identify client deficiencies, ongoing care coordination for family units, and quarterly bonding visits for children with an incarcerated parent. The delivery of contracted services was effectively verified and properly monitored. The monitoring reports and supporting documentation reflected that Children of Inmates provided the services as stipulated in the contract. Payments were properly documented and the amount paid was in accordance with the contract. However, a deficiency was found that warranted management's attention.

Finding: Volunteers are not receiving the required orientation/training as required by Procedure 503.004.

Recommendation: The Bureau of Programs monitor the volunteers to ensure orientation/training is being completed in accordance with Department Procedure 503.004.

Smart Horizons Career Online High School, LLC Contract C2831

Contract Management Review staff determined that services were generally rendered as required by the contract. Smart Horizons was accredited and provided an online career education program. Smart Horizons also provided teacher training and issued high school diplomas and transcripts. Finally, Smart Horizons provided monthly, quarterly, and ad hoc reports as required by the contract. During the visits at the two service locations, Contract Management Review staff observed class sessions and found the following:

- Inmates are given a unique password to sign in to the Smart Horizons online system.
- Inmate use of the Smart Horizons online system is monitored by the Academic Teacher (Department staff).
- Inmates study the courses provided and must complete a test to receive a credit or one-half credit.

The Bureau of Programs performed monitoring as required by the contract, but a deficiency was noted concerning the Bureau of Programs not ensuring that Smart Horizons was providing and billing for only the high school credits needed by inmates to obtain a high school diploma. Details of the finding and recommendation are presented below.

Finding: The Department does not ensure that Smart Horizons is providing and billing for only the high school credits needed by inmates to obtain a high school diploma.

Recommendation: The Division of Development: Improvement and Readiness, Bureau of Programs enhance its monitoring and/or review of invoices to ensure that the Department is charged for only the credits inmates need to receive a high school diploma.

Shisa Corporation Managed Inmate Trust Funds Contracts C2203 and C2843

Shisa was substantially compliant with requirements for depositing inmate paychecks, savings, and collecting bank fees. An independent certified public accounting firm had performed audits of the trust fund accounts as required by the contract. However, deficiencies were found concerning subsistence calculations, support for family dependents, and court ordered payments that warranted management's attention.

Finding: Shisa did not always charge the correct subsistence.

Recommendations: The Office of Institutions and Division of Development: Improvement and Readiness ensure that Shisa computes the subsistence charges in accordance with the contract. The Office of Institutions and Division of Development: Improvement and Readiness ensure that Shisa identifies and reimburses all individuals overcharged subsistence.

Finding: The Department has not always ordered family dependent deductions.

Recommendation: The Office of Institutions and Division of Development: Improvement and Readiness ensure the family dependent deduction is ordered, if applicable.

Finding: Shisa did not make Court Ordered Payment System (COPS) remittances to the Department timely.

Recommendation: The Office of Institutions and Division of Development: Improvement and Readiness ensure that Shisa makes remittances to the Department on or before the 10th day of the month, as required by the contract.

Unlimited Path of Central Florida, Inc. Contract C2797

Unlimited Path generally rendered services as required by the contract. Unlimited Path provided substance abuse services, academic programs, vocational programs, release preparation/transition programs, religious programs, a wellness program, and library services as required by the contract. Unlimited Path also determined transitional services needed by inmates and coordinated with community providers, participated in development of individual transition plans, and provided comprehensive re-entry services as required by the contract. The delivery of contracted services was monitored by the Department at a minimum of once a year as required by the contract. Contract payments were in accordance with contract terms. However, Contract Management Review staff found deficiencies that warranted management's attention.

Finding: The performance measure standards required by the contract and the Programmatic Contract Monitoring Tool ratings utilized by the Division of Development: Improvement and Readiness do not agree.

Recommendation: The Division of Development: Improvement and Readiness amend the Programmatic Monitoring Tool's rating system to match the contract's performance measure standards.

Finding: The Unlimited Path's training records did not always document the duration of training sessions.

Recommendation: The Division of Development: Improvement and Readiness ensure Unlimited Path provides and documents the duration of staff training sessions.

Finding: Unlimited Path did not always notify the Department of staff terminations or resignations within the required time frame and did not maintain documentation of all notifications.

Recommendation: The Division of Development: Improvement and Readiness ensure Unlimited Path notifies the Department of staff resignations or terminations within the required timeframe and maintain documentation on all notifications.

Finding: The Unlimited Path did not always maintain a copy of the DC5-159, Consent to Release of Educational Information, in student folders.

Recommendation: The Division of Development: Improvement and Readiness ensure Unlimited Path maintains these forms as required.

Follow-up to Contract Management Reviews

Follow-up Contract Management Review of Contract Language

Contract Management Review staff determined that corrective action was taken to address all findings cited in the original report.

Follow-up Contract Management Review of Santa Fe Bridge, Inc. Contract C2806

The Office of Institutions and Division of Development: Improvement and Readiness have corrected the finding identified in the original report.

Follow-up Contract Management Review of Bridges of America – The Orlando Bridge, Inc. Contract C2842

Contract Management Review staff reviewed the most recent Independent Certified Public Accountant audit report of inmate trust fund accounts at this Community Release Center and determined that the finding has not been corrected.

Finding: Bridges of America did not always charge the correct subsistence.

Recommendation: The Office of Institutions and Division of Development: Improvement and Readiness ensure that Bridges of America computes the subsistence charges in accordance with the contract.

Follow-up Contract Management Review of Bridges of America – The Turning Point, Inc. Contract C2841.

Contract Management Review staff reviewed the most recent Independent Certified Public Accountant audit reports of inmate trust fund accounts at this Community Release Center. Contract Management Review staff found that corrective action has not been taken on three of the five findings identified in the original report as listed below:

Finding: Bridges of America did not ensure that all inmates had required savings.

Recommendation: The Department's Office of Institutions and Division of Development: Improvement and Readiness enforce the requirement that Bridges place no less than 10% of inmates' net income in savings for disbursement upon their release.

Finding: Bridges of America did not always disburse savings to inmates at the time of release.

Recommendation: The Department's Office of Institutions and Division of Development: Improvement and Readiness ensure that Bridges of America disburses all inmates' savings upon release as required by the Florida Administrative Code.

Finding: Bridges of America undercharged some inmates for court ordered payments (COPS).

Recommendation: The Department’s Office of Institutions and Division of Development: Improvement and Readiness ensure that Bridges of America calculates COPS obligations in accordance with the contract and the correct amount is deducted from the inmates’ trust fund accounts.

ENVIRONMENTAL HEALTH, SAFETY, & RISK MANAGEMENT

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. The Department has a formal risk management program on file with the Department of Financial Services, Division of Risk Management. The program is directed by the Department's Environmental Health and Safety Manual. The goal of the Environmental Health and Safety Program is to reduce the frequency and severity of accidents through training, administrative guidelines, and aggressive promotion of safe work practices.

To continually monitor the safety program progress, facility Department heads or their designee perform weekly inspections, facility Environmental Health and Safety Officers (EHSO) perform monthly inspections using 116 standards, and Regional Safety Consultants perform semi-annual inspections using the same 116 standards. Any findings are addressed by the facilities and are corrected or repaired as needed. This is indicative of the effectiveness of the program as EHSO’s continually monitor safety and sanitation of the facilities while initiating corrections throughout the year as this helps to reduce the findings identified during the semi-annual inspections.

The Regional Safety Consultants monitor all monthly reports as they become available. This enables oversight at all facilities at all times. They are also available for technical support as needed. This table represents all findings during the semi-annual inspections.

Regions	Number of Institutions	Main Unit findings	Number of Annexes	Annex findings	Number of Work Camps	Work Camp findings	Total Findings
1	15	93	6	33	13	15	141
2	15	108	5	16	14	18	142
3	10	79	3	13	5	14	106
4	9	166	1	4	14	55	225
Totals		446		66		102	614

Source: Office of Environmental Health, Safety, & Risk Management

Added to our inspection schedule of the Regional Safety Consultants in the Fiscal Year 2016-17 were seven Private Correctional Facilities. These facilities are monitored by Department of Management Services. They will be inspected semi-annually as the Florida Department of Corrections facilities are. The following table indicates those findings.

Regions	Name of Prison	Number of findings
1	Bay CF	5
1	Blackwater River CF	19
1	Gadsden CF	34
1	Graceville CF	11
2	Lake City CF	11
3	N/A	
4	Moore Haven CF	22
4	South Bay CF	27
Total		129

Source: Office of Environmental Health, Safety, & Risk Management

The Risk Management Program consists of coverages as provided in Florida Statutes. Section 284.30, Florida Statutes, *State Risk Management Trust Fund*; coverages to be provided states that:

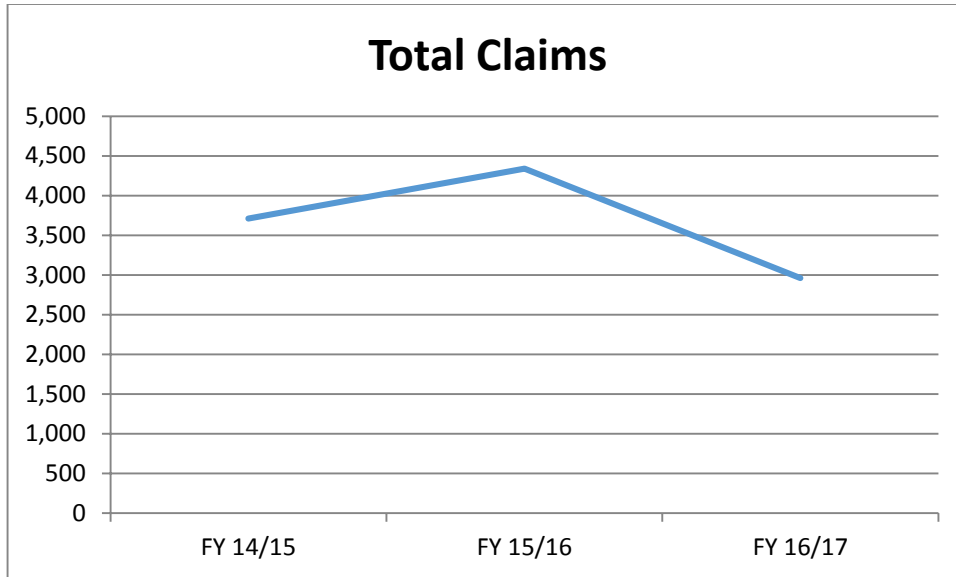
A state self-insurance fund, designated as the "State Risk Management Trust Fund," is created to be set up by the Department of Financial Services and administered with a program of risk management, which fund is to provide insurance, as authorized by s. 284.33, for workers' compensation, general liability, fleet automotive liability, federal civil rights actions.

Section 284.01(1), Florida Statutes, *State Risk Management Trust Fund*; coverages to be provided states that the:

State Risk Management Trust Fund shall insure those properties designated in subsection (2)¹ which are owned by the state or its agencies, boards, or bureaus against loss from fire, lightning, sinkholes, and hazards customarily insured by extended coverage and loss from the removal of personal property from such properties when endangered by covered perils.

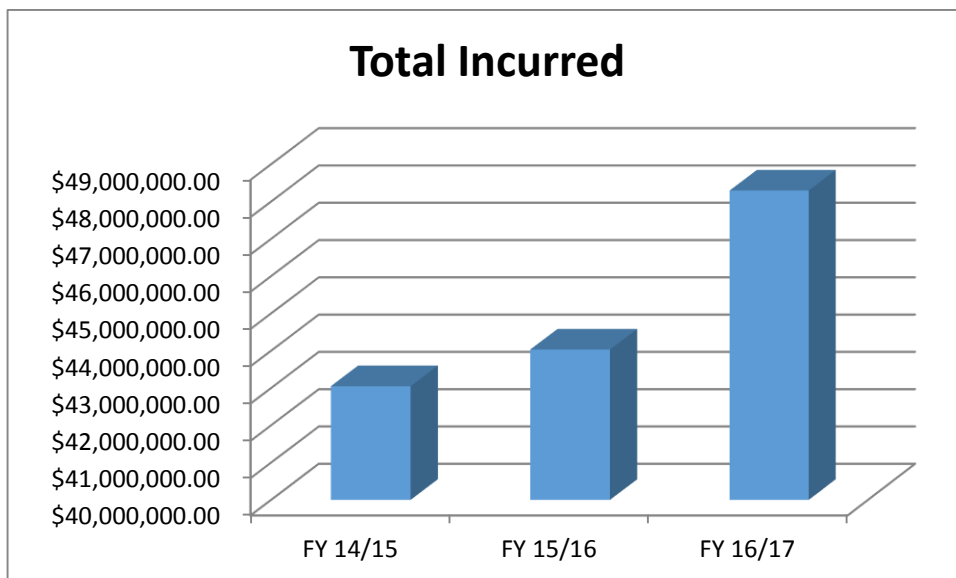
¹ All buildings, whether financed in whole or in part by revenue bonds or certificates, and the contents thereof or of any other buildings leased or rented by the state.

The following table displays risk management claims which consists of all statutorily required coverage reported for coverage types of claims paid during the fiscal years listed (Fiscal Year 2014-15, Fiscal Year 2015-16 and Fiscal Year 2016-17). In Fiscal Year 2016-17, the Department total claims reported decreased by 31.72% compared to the previous fiscal year.



Source: Office of Environmental Health, Safety, & Risk Management

The total paid costs (includes Worker's Compensation costs, General Liability costs, Federal Civil Rights costs, Automobile Liability costs, and Malpractice costs) by Fiscal Year for the last three fiscal years is displayed below and discloses an increase in total costs from the previous fiscal year by 10%. This increase was due largely to the 272 property claims for damage received during Hurricanes Matthew and Hermine.



Source: Office of Environmental Health, Safety, & Risk Management

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: deaths, public corruption, 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.

During Fiscal Year 2016-17, the Office of Inspector General received approximately 72,408 incidents/complaints which resulted in the opening of approximately 21,337 Office of Inspector General cases. The remaining incidents/complaints were referred back to the Department's management team or other external entities for action deemed appropriate. The table below represents by case type those matters assigned for review or investigation and the numbers of case assignments:

<i>Type of Case</i>	<i>Total Number Assigned</i>
<i>Administrative Cases</i>	639
<i>Criminal Cases</i>	747
<i>Death Investigations and Assists</i>	389 ²
<i>Investigative Assists (Non-Death)</i>	93
<i>Inquiries</i>	9770
<i>Management Notification</i>	1
<i>Management Reviews</i>	1
<i>Uses of Force</i>	9669
<i>Whistle Blower Determinations</i>	28
TOTAL	21,337

Source: IGIS for 07/01/2016 to 06/30/2017

² Investigations initiated by the Office of Inspector General for FY 2016-17 may differ from data reported by other entities as other data is reported by calendar year.

The table below represents the investigative outcome of the cases the Office of Inspector General investigated:

Case Disposition	Administrative	Criminal	Total
<i>Exonerated</i>	11		11
<i>Not Sustained</i>	309		309
<i>Partially Sustained</i>	26		26
<i>Policy Deficiency</i>	4		4
<i>Sustained</i>	389		389
<i>Unfounded</i>	62	6	68
<i>Closed by Arrest</i>		159	159
<i>Exceptionally Cleared</i>		409	409
<i>Unfounded</i>	1	208	209
TOTAL	802	782	1,584

Source: IGIS for 07/01/2016 to 06/30/2017 Data represents the number of findings in cases closed during Fiscal Year 2016-17, which includes cases with multiple findings and cases carried over from the previous fiscal year.

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.

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.

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.

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.

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.

Unfounded refers to, in an administrative context, a finding in an administrative case for which a preponderance of evidence exists to suggest the subject's behavior or action did not occur and, in a criminal context, a disposition of a criminal case for which a preponderance of the evidence exists to suggest the suspect's alleged behavior or action did not occur.

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.

Examples of Investigation Case Summaries

Taylor Correctional Institution - Aggravated Battery, and Possession of Contraband in Prison (Weapon), Case Number 16-12736

Office of Inspector General staff was notified of a stabbing at Taylor Correctional Institution. The victim (inmate) was interviewed and a criminal investigation was conducted that resulted in the arrest of the three inmates who were determined to have attacked the victim, stabbing and beating him with homemade weapons.

- One inmate was charged with and plead Guilty to Aggravated Battery by Detainee and sentenced to 10 years, \$415.00 Court Costs, \$1,000.00 Fine, \$550.00 Public Defender Fee, \$151.00 Battery Surcharge, \$250.00 Investigative Cost, \$100.00 and \$201.00 Domestic Violence Surcharge. The charge of Possession of the Weapon was "Nolle Prosequi", in reference to the terms of the plea agreement.

- One inmate was charged with and plead Guilty to Aggravated Battery by Detainee (Count 1), and Possession of Contraband (Weapon) (Count 2). The inmate received 66 months on Count 1, and 66 months on Count 2, \$415.00 Court Costs, \$1,000.00 Fine, \$550.00 Public Defender Fee, \$151.00 Battery Surcharge, \$250.00 Investigative Cost, \$100.00 and \$201.00 Domestic Violence Surcharge.
- The Office of State Attorney declined prosecution for one of the inmates due to lack of witness identification.

Martin Correctional Institution - Defrauded Merchants of Jewelry and Diamonds, Case Number 17-16373

Between June of 2015 and June 2016, six individuals that included two inmates and one former inmate and three visitors defrauded jewelry merchants in New York City, Miami and other cities by inducing the merchants to send gemstones, precious metals, and jewelry to them in exchange for counterfeit checks or other fictitious forms of payment. One of the inmates used a contraband cell phone and negotiated cash-on-delivery terms of payment from merchants. Another inmate also incarcerated at Martin Correctional Institution assisted this inmate. After receiving the merchants' goods, the defendants typically sold those goods to other jewelry stores. The three visitors and the former inmate, created and delivered counterfeit checks, accepted packages from merchants, and distributed proceeds from the fraud to others in the scheme. They all pled guilty and were sentenced as follows:

- The two inmates and former inmate were sentenced to 24 months and 3 years supervised release.
- One visitor was sentenced to 12 months and one day and 2 years supervised release.
- One visitor was sentenced to 21 months and 3 years supervised release.
- One visitor was sentenced to time served and 2 years supervised release.

Security Threat Group Racketeering and Murders, Case Number 17-16378

The Security Threat Group is a criminal organization whose members and associates engaged in acts of violence, including murder, attempted murder, aggravated battery, aggravated assault, narcotics distribution, and other criminal activities, and which operated in the Southern District of Florida, the Northern District of Illinois and the Northern District of Indiana, among other places. A joint investigation commenced in 2013 with multiple agencies. The FBI Miami Division Gang Squad was the lead. As a result of the investigation, information was developed that the Group was being run by the Chicago Leader of the Group and an incarcerated inmate with Florida Department of Corrections. The case also developed credible information that provided leads to detectives in Miami Dade County and identified Group members involved in murders, drive-by shootings (one that resulted in paralysis for the victim), rapes/sexual assaults

and other felonies. The detectives were able to obtain confessions and all but one of the defendants plead guilty and were sentenced to long prison terms. Regarding the Florida Department of Corrections inmate, he used a contraband cell phone to order the "hit" on an individual that testified against the inmate in his current state case. The individual was killed by members of the Group.

The inmate was sentenced to 40 years. A Florida Department of Corrections probationer was sentenced to 10 years. Two former inmates were sentenced to 24 years and 9 years. Another Florida Department of Corrections inmate was sentenced to 17 years. A visitor to the Florida Department of Corrections was sentenced to 24 years. Three other individuals were sentenced to 15, 5, and 3 years.

Lancaster Correctional Institution - Battery on Law Enforcement Officer, Case Number 16-01411

A Lancaster Correctional Institution correctional officer reported that he was counseling with an inmate concerning an inmate code of conduct violation at which time the inmate struck the correctional officer with a clenched fist on the right side of the correctional officer's jaw. The inmate then grasped the correctional officer around the torso area, and slammed him to the ground. Other correctional officers responded and placed the inmate in restraints. An investigation was conducted and charges were made against the inmate.

The inmate was found guilty of Battery on Law Enforcement and was sentenced to 1.5 years consecutive to the first sentence and a civil lien payable to Florida Department of Corrections of \$27,250.00.

Taylor Correctional Institution - Introduction of Contraband, Case Number 16-11637

A person arrived at Taylor Correctional Institution to visit an inmate. When the visitor could not clear the metal detector, the visitor consented to an unclothed search and during the search staff located a cell phone concealed on the person. An investigation was conducted and charges were made against the visitor.

The visitor plead guilty to Introduction of Contraband and was sentenced 3 years of probation, 100 hours of Community Service, \$415.00 Court Costs, \$500.00 Fine, \$250.00 Investigative Cost, \$100.00 Cost of Prosecution, as well as other court ordered conditions.

Florida State Prison - Introduction of Contraband, Case Number 16-01875

An allegation was made that a correctional officer was having sexual relations with inmates and smuggling in drugs and cellphones at the Florida State Prison West Unit. Sworn witness interviews were conducted in which the witnesses alleged that the correctional officer had sexual relations with several inmates while on duty inside the prison staff restroom. Through investigative leads and physical evidence, it was determined that the correctional officer was receiving monies from family members of inmates incarcerated at the Florida State Prison West Unit, as well as known security threat group members. All of the inmates involved in this case were members of a security threat group. It was proven based on evidence obtained that the correctional officer pledged her loyalty to the group. Forensic analysis of evidence supported the fact that the

correctional officer committed the crimes of Introduction of Contraband; Unlawful Compensation or Reward for Official Behavior, Bribery, and Sexual Misconduct. A warrant was obtained for the correctional officer's arrest. In a sworn recorded post Miranda interview, the correctional officer confessed to Unlawful Compensation, Bribery and Sexual Misconduct with two different inmates. The correctional officer was arrested and subsequently plead guilty to Unlawful Compensation, Sexual Misconduct, and Introduction of Contraband. The correctional officer was sentenced to 18 months.

Taylor Correctional Institution - Introduction of Contraband, Case Number 16-20913

Intelligence information was received by the Office of Inspector General staff that a correctional officer was introducing contraband into Taylor Correctional Institution. Arrangements were made with the Warden and a mass search, including K-9, was conducted on the officers arriving to work at Taylor Correctional Institution. The correctional officer was placed behind the fence, and an open air K-9 search was conducted, the dog alerted on the person. The correctional officer belongings that were brought into the institution were searched. During the search, investigative staff located 7 grams of marijuana, 46.30 grams of K2, and 2 cell phones. The cell phones were located in a soda can, designed to conceal items inside.

A confession was obtained. The correctional officer plead guilty to Introduction of Contraband and was sentenced to 3 years of Probation, 100 hours Community Service, \$415.00 Court Costs, \$500.00 Fine, \$550.00 Public Defender Fee, \$100.00 Florida Department of Law Enforcement Lab Fee, \$250.00 Investigative Cost, \$100.00 Cost of Prosecution, The correctional officer was also required to complete Thinking for a Change Program, and to have no contact with any jail, prison, or inmate.

Martin Correctional Institution - Malicious Battery, Case Number 16-21704

A correctional officer was observed on a fixed wing video using chemical agents on an inmate, which appeared unwarranted and an excessive use of force. An investigation was initiated by the Office of Inspector General. The Office of Inspector General determined that the correctional officer's official reports and statement contradicted the video footage and witness statements. As a result, the correctional officer was arrested and charged with Falsifying Records and Malicious Battery on the inmate. The correctional officer entered a plea of nolo contendere of Malicious Battery on an inmate misdemeanor First Degree. The correctional officer was sentenced to 1 year of Probation, 50 hours Community Service, no early term, to submit relinquishment of Criminal Justice Certification, and a cost to lien except Cost of Prosecution of \$370.00.

Lowell Annex - Introduction of Contraband, Case Number 15-1200

An inspector received a telephone call from an inmate's family member expressing concern for the inmate's safety. During a subsequent interview of the inmate it was alleged that the inmate had been paying money to a staff member for the introduction of contraband into Lowell Annex. The investigation consisted of numerous interviews, subpoenaed information, searches, and review of surveillance video. During a search of the staff member, the staff member was found in possession of tobacco products packaged in such a manner as to avoid detection. The investigation resulted in the arrest

and successful conviction of the staff member for the charges of Bribery, Unlawful Compensation, and Obstruction of Officer. The staff member was sentenced to 5 years of Probation and fines in the amount of \$5,794.00.

Lowell Annex - Introduction of Contraband, Case Number 15-28027

During the course of an investigation, an inmate alleged that s/he was sending money to a correctional officer for the introduction of tobacco and marijuana into Lowell Annex. Information was gained reflecting that the correctional officer was dealing with more than one inmate. The investigation consisted of multiple interviews, searches, subpoenaed information, and review of video surveillance that resulted in the arrest and successful conviction of the correctional officer for the charges of Bribery and Unlawful Compensation. The correctional officer was sentenced to 5 years of probation and fines in the amount of \$5,794.00.

Martin Correctional Institution - Introduction of Contraband, Case Number 17-00751

Investigative staff confiscated a contraband cell phone. One of the phone numbers in the cell phone belonged to a medical clerk. The Office of Inspector General developed investigative leads that identified and determined that the medical clerk used his/her personal telephone and engaged in unlawful telephonic communications with two Inmates who were in possession of contraband cell phones. In a post-Miranda recorded interview, the medical clerk confessed to communicating with one of the inmates via calls/text messages. On two occasions the medical clerk asked the inmate for financial assistance. The inmate had someone send the medical clerk on both occasions a \$100. The medical clerk also admitted to asking another inmate send him/her money to "pay bills". The inmate had someone send the medical clerk \$50. The medical clerk admitted to buying and giving food items food items to the inmate that sent her \$50.

The medical clerk entered a plea of Nolo Contendere to Introduction of Contraband State Correctional Institution Felony Third Degree and was sentenced to two years of probation; Forfeit CJSTC Certificate, if a Law Enforcement Officer; and Pay Costs of Probation, \$565.00.

Columbia Correctional Institution - Introduction of Contraband, Case Number 16-22527

A correctional officer with the Florida Department of Corrections became the subject of an investigation concerning the unlawful introduction of contraband and unlawful compensation. Such information was derived from multiple inmate sources. The on-duty correctional officer was observed and recorded via video surveillance exiting the secured perimeter and walking to his parked vehicle. The correctional officer attempted to re-enter the secured perimeter, and a pat search was about to be conducted of his person when the correctional officer produced two cartons of cigarettes from his pants pockets. The correctional officer completed an official Department of Corrections incident report stating he had found the cigarettes in the parking lot indicating it to be random contraband found by happen chance. The correctional officer later admitted that to be false, and he admitted to lying on the report to conceal his actions.

During a post Miranda interview, the correctional officer admitted to introducing contraband (cigarettes) into the secure perimeter of Columbia Correctional Institution. The correctional officer confessed that on four separate occasions he brought approximately twenty packs of 305 brand cigarettes to an inmate for cash payments. The correctional officer further admitted to receiving approximately \$1000.00 in cash from the inmate to purchase the contraband and introduce it into the facility. The correctional officer would conceal the contraband in the side pockets of his uniform pants and negate the entry/exit procedures of the facility to introduce the contraband items. The correctional officer would then place the items in an office located on the compound and allow the inmate to “clean the office”. The inmate would then take possession of the cigarettes and distribute them to other inmates at Columbia Correctional Institution.

The correctional officer pled guilty to the charges of Introduction of Contraband, Unlawful Compensation, and Official Misconduct. Felony adjudication was withheld and the correctional officer was sentenced to four years of probation, court costs, and investigative cost.

Monetary or Financial Recoveries for the State of Florida Involving Florida Department of Corrections Bureau of Investigations Criminal Cases.

Forfeiture of Retirement Benefits of State Employees Found Guilty of Felony Crimes While in the Performance of their Official State Duties:

Pursuant to Florida State Statute 112.3173, the Florida Department of Corrections Office of Inspector General noticed the Department of Management Services/Division of Retirement and the Florida State Board of Administration when State employees are arrested for felonies involving breach of public trust and other specified offenses by public officers and employees. The Department of Management Services or the Florida State Board of Administration places a hold or block on the state funded pension or retirement account of the individual arrested. Then, upon any conviction involving these felony offenses, the Department of Management Services or the Florida State Board of Administration conducts the final forfeiture order through their Legal Division. The table below represents by type of retirement plan the number of forfeitures and those under review as June 30, 2017.

<i>Retirement Plans</i>	<i>Department</i>	<i>FDC Staff Retirement Forfeitures</i>	<i>FDC Staff Retirement Forfeitures Under Review</i>	<i>Total</i>
<i>Pension Plan</i>	<i>Management Services</i>	5	24	29
<i>Investment Plan</i>	<i>State Board of Administration</i>	3	10	13

Source: Department of Management Services/Division of Retirement and the Florida State Board of Administration

Use of Force Unit

Established in 1999, the Use of Force Unit is 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.

To accomplish this mission, the Use of Force Unit independently reviews and evaluates all use of force incident reports, associated documents, and videotapes 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 to Investigations.

Uses of force are classified as major incidents whenever weapons, the chemical agent Ortho-Chlorobenzalmalononitrile "CS", or electronic restraint devices are used, when force is used in a cell extraction, or when outside medical treatment is required for employees or inmates as a result of the use of force. Other physical contact with inmates, including use of the chemical agent Oleoresin Capsicum "OC", is classified as minor.

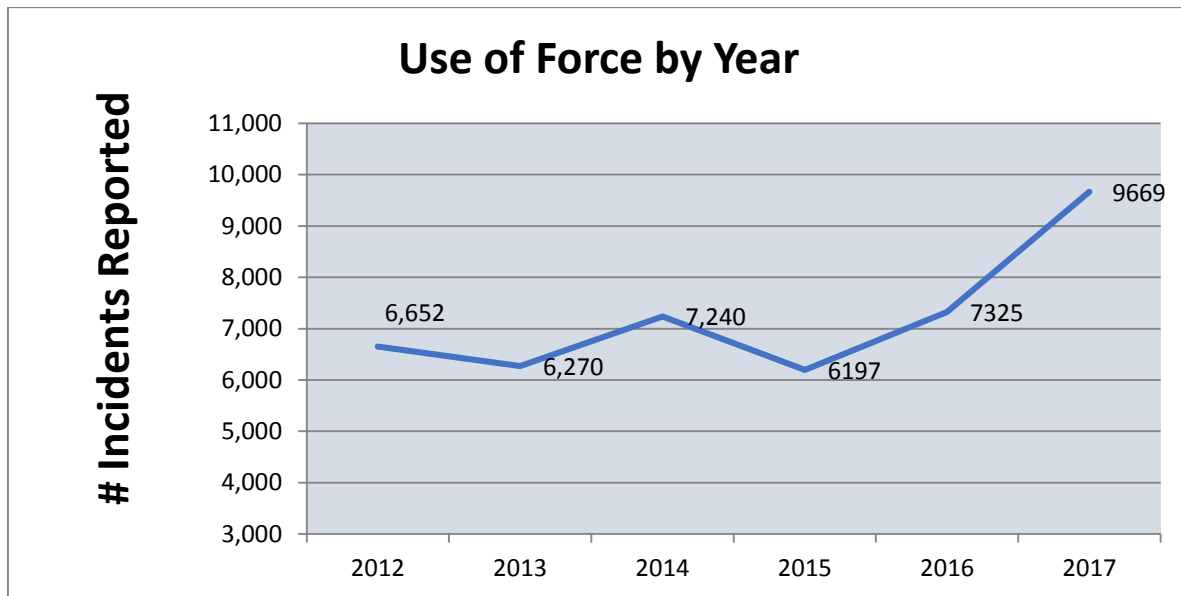
The following table reflects use of force incidents reported to the unit in Fiscal Year 2016-17.

Classification	Reason Force Was Used	Number
27A	<i>Self Defense</i>	1051
27B	<i>Escape/Recapture</i>	2
27C	<i>Prevent Escape During Transport</i>	0
27D	<i>Prevent Property Damage</i>	93
27E	<i>Quell a Disturbance</i>	1055
27F	<i>Physical Resistance to a Lawful Command</i>	6156
27G	<i>Prevent Suicide</i>	742
27H	<i>Restrain Inmate for Medical Treatment</i>	100
27I	<i>Cell Extraction</i>	409
27J	<i>Mental Health Restraint</i>	7
27K	<i>Probation & Parole Handcuffing</i>	2
27O	<i>Other</i>	52
TOTAL		9,669

Source: IGIS for 07/01/2016 to 06/30/2017

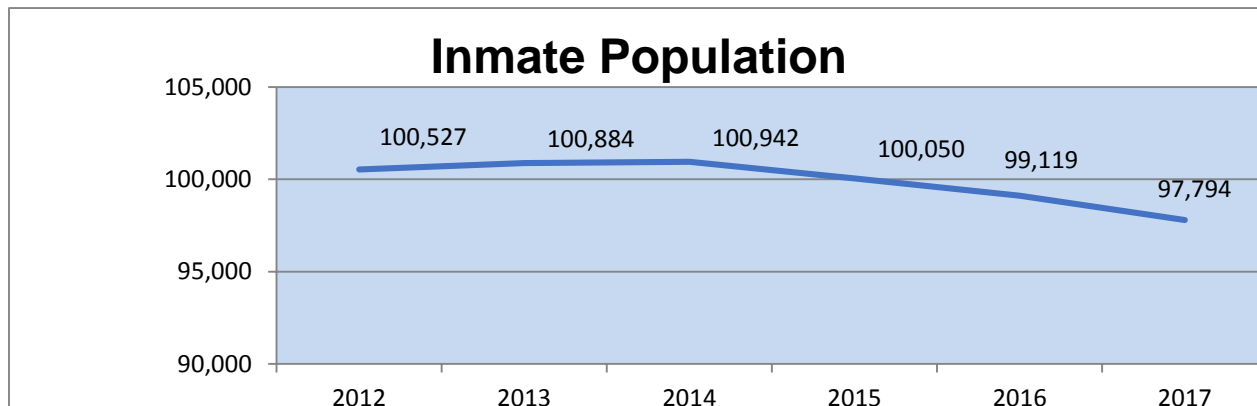
As illustrated by the chart below, the number of uses of force have fluctuated over the last five years. The number of use of force incidents decreased by 5.7% in Fiscal Year 2012-13. The reduction in the use of force incidents was a result of change in Florida Administrative Code (F.A.C.). Effective December 16, 2012, Chapter 33-602-210, F.A.C. no longer required four/five point medical restraints without force to be reported as a use of force incident. The uses of force also decreased 14.4% in Fiscal year 2014-15.

In Fiscal Year 2013-14, the number of uses of force increased by 15.5%, and the number of uses of force has also increased in Fiscal Year 2015-16, and again in Fiscal Year 2016-17 by 18.2% and 32% respectively. Although the number of uses of force increased by 32% in Fiscal Year 2016-17, the number of use of force incidents that were referred for an investigation by the Use of Force Unit decreased by 50%. The Use of Force Unit refers those incidents for investigation when a possible violation of procedure or law is suspected. The number of uses of force incidents that were referred for an investigation went from 60 in Fiscal Year 2015-16 to 30 in Fiscal Year 2016-17.



Source: MINS and IGIS

The inmate population has decreased by approximately by 3% percent over the last 3 years as shown in the chart below.



Source: Research and Data Analysis.

Fugitive Unit

The Fugitive Unit, created in January 2007, is tasked to protect Florida's citizens by investigating escapes from state and private facilities. The unit tracks and locates the fugitive in question and coordinates with law enforcement to return the fugitive to custody. The Fugitive Unit provides criminal investigative assistance to other law enforcement agencies who may be seeking fugitives who have ties to Florida.

Over the past 10 years, the Unit has formed partnerships with Crime Stoppers, the Office of the Attorney General, and other Law Enforcement Agencies to better facilitate the investigation, tracking, and recapturing of fugitives nationwide. Adapting to the increase in social media and global internet activity by fugitives, the Fugitive Unit has partnered with the Florida Department of Financial Services Division of Public Assistance Fraud Operations and the Florida Department of Law Enforcement Fusion Center to leverage modern technology, social media, and cutting edge cyber-tracking techniques in the pursuit of Florida's fugitives and absconders.

Since its inception, the Fugitive Unit has tracked and documented the recapture of approximately 1,500 fugitives nationwide. In July 2017 an analyst was successful in utilizing social media and other cyber applications to attain intelligence on the whereabouts of an escapee and pass this information on to local law enforcement. Going forward, the Fugitive Unit will continue to develop investigative tools using technology and cyber applications while maintaining solid partnerships in order to assist in the recapture of Florida's fugitives.

Records Unit

The Records Unit within the Office of Inspector General processed over 1,000 requests for records this fiscal year. This includes public records requests, subpoenas, arrest affidavits, investigative demands, litigation productions, inmate phone call records, background investigations, and any other records/information that falls under the scope of the Office of Inspector General. An upward trend for redacted video and audio recordings record requests by law enforcement, media outlets, and other interested parties is expected to continue. These reviews and redactions require improvements in media capabilities and are extremely labor intensive.

In addition, the Records Unit maintains the portal for all case information for the state. This includes the tracking and updating of case information as it is submitted, received, and closed out. The processing of information for submission to the Criminal Justice Professionalism Division of Florida Department of Law Enforcement is also handled by Records Unit staff.

Intake Unit and Prison “TIPS Line”

The Office of Inspector General receives complaints from multiple internal and external sources through the portals delineated below:

- MINS (Management Information Notification System) direct reporting of incidents to the Office of Inspector General and other Departments from State and private institutions,
- Electronic Complaint form (web-based/most expedient) - <http://www.dc.state.fl.us/apps/igcomplaint.asp>
- TIPS Line (can be anonymous),
- Correspondence,
- E-Mail, (IG-Intakeprocessing@fdc.myflorida.com)
- Telephone

The Office of Inspector General Intake Unit is staffed with five Inspectors and a crime analyst which work together to ensure all complaints and Prison TIPS Line calls are reviewed and screened in accordance with procedures and directives. The Intake Unit reviews incidents that occur in any Department facility or office and/or incidents that involve Department staff, inmates, probationers, visitors, volunteers or contractors.

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

The Prison “TIPS” Line is a portal for the anonymous reporting of waste, fraud and abuse of public funds, Prison Rape Elimination Act (PREA) allegations, human trafficking and contraband interdiction. The “TIPS” line can be accessed from inmate phones within all Department facilities by dialing *8477 (TIPS), or by those outside prison walls by dialing toll-free 1-866-246-4412. Calls are monitored daily by the Department's Office of Inspector General. Callers have the option of establishing a voice mailbox, which can be accessed using a unique pass code, which is provided upon the callers' request. The voice mailbox provides a mechanism by which the caller may exchange messages and information with the Office of Inspector General. The voice mailbox may also be used anonymously.

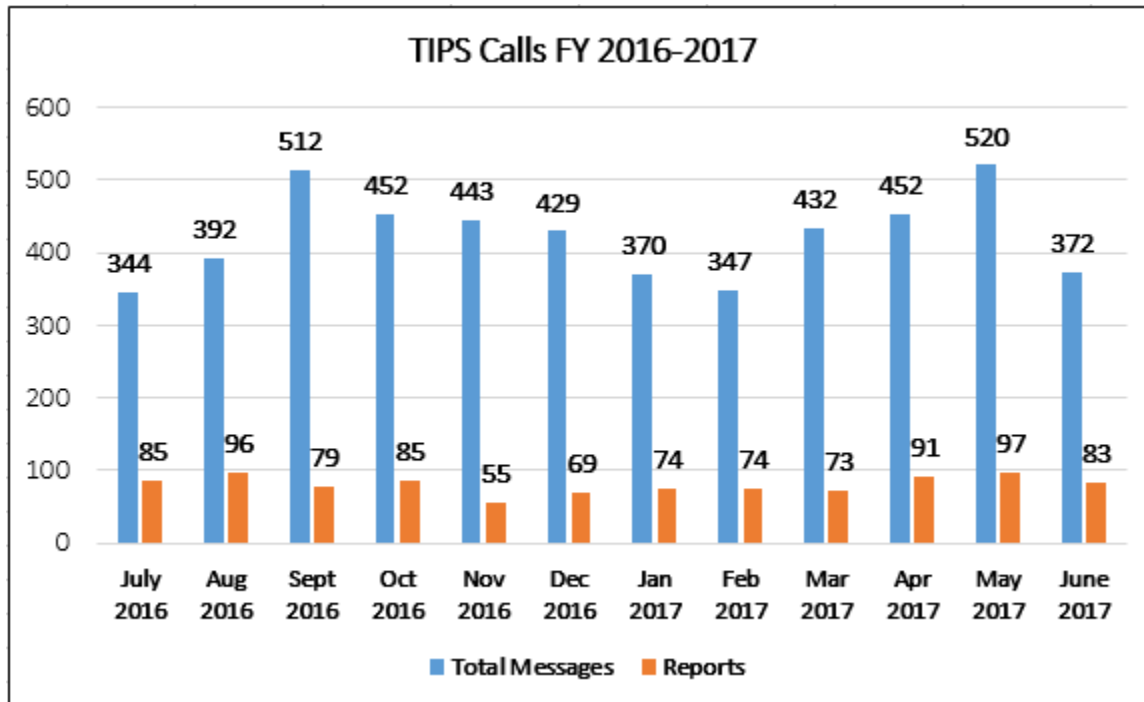
The table below reflects the number of incidents as reported within the Management Information Notification System (MINS) and the number of pieces of correspondence submitted via letter, electronic complaint, e-mail, phone call, walk-in, inter-agency and external agency referrals that was reviewed and processed by the Intake Unit, if determined applicable were assigned as a case in IGIIS.

<i>MINS</i>	<i>CORRESPONDENCE</i>	<i>IGIIS CASES</i>
72,408	3,221	10,124

The Prison TIPS Line was accessed over 11,000 times during Fiscal Year 2016-17. Messages left on the Prison TIPS Line are reviewed, and the information provided is often used as criminal intelligence in ongoing or unsolved criminal investigations, both inside and outside the Department of Corrections. The following table reflects a breakdown in the sources of the messages received, the reports were generated as a direct result of messages left on the Prison TIPS line and the number of new cases or inquiries were initiated by the Office of Inspector General.

<i>FLORIDA DEPARTMENT OF CORRECTIONS OFFENDERS</i>	<i>PUBLIC AND PRIVATE FACILITY OFFENDERS</i>	<i>REPORTS</i>	<i>IGIIS CASES/INQUIRES</i>
4,191	874	967	886

The following table is a breakdown by month the number of TIPS calls received during Fiscal Year 2016-17.



Whistle-blower Unit

The Whistle-blower Unit is the designated liaison between the Chief Inspector General’s Office and Office of Inspector General. The Whistle-blower Unit coordinates and conducts Whistle-blower determinations and Whistle-blower investigations pursuant to Florida law. During Fiscal Year 2016-17, the Whistle-blower Unit processed 28 formal Whistle-blower determinations. Every complaint received by the Office of Inspector General is reviewed for Whistle-blower criteria.



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