



# Office of the Inspector General Annual Report

**For Fiscal Year 2003-04**  
*September 30, 2004*

*James V. Crosby, Jr., Secretary*  
*Florida Department of Corrections*

*Jeb Bush*  
*Governor*

## **Executive Summary**

### **Agency Background**

As the nation's third-largest prison system, the Florida Department of Corrections fulfills a primary responsibility for public safety in Florida. Through a network of 56 major prisons and 67 work camps and community-based facilities, the department manages incarceration and care for 82,000 inmates. An additional 150,000 felony offenders are supervised through 171 probation offices statewide. The agency's 25,000 staff carry out this public safety mandate 24 hours a day, 365 days a year. The agency's annual operating budget is \$2 billion.

### **Purpose of the Annual Report**

This report, required by the Inspector General Act of 1994, summarizes the activities and accomplishments of the Florida Department of Corrections, Office of the Inspector General, during fiscal year 2003-04.

Section 20.055, Florida Statutes, defines the duties and responsibilities of each Inspector General with respect to the state agency in which the office exists. The statute requires that the Inspector General submit an annual report of activities during the preceding fiscal year to the agency head.

This report provides departmental staff and other interested parties with an overview of the Office of the Inspector General's activities related to its mission as defined by Florida Law.

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# Introduction

## Organization/Duties

The Office of the Inspector General and its two bureaus, State Investigations and Internal Audit, perform the following functions:

1. Conduct investigations, audits, and reviews relating to the staff, programs, contracts and operations of the department.
2. Inform the Secretary of fraud, abuse, and deficiencies relating to programs and operations administered by the department; recommend corrective action; and report on progress made in implementing corrective action.
3. Advise in the development of performance measures and standards for the evaluation of agency programs.
4. Operate the contraband interdiction and inmate drug testing programs.
5. Coordinate department activities required by the Whistle-blower's Act and Get Lean Hot-Line program.
6. Provide effective coordination and cooperation with the Auditor General, OPPAGA, and the Florida Department of Law Enforcement.
7. As a member of the Governor's Council on Integrity and Efficiency (GCIE), share ideas with other inspectors general for improving the IG function and coordinating activities that cross agency lines.

**Vision: Enhancing Public Trust in Government.**

**Mission: Provide leadership in the promotion of accountability and integrity of State Government.**

**Goal: Add value to organization.**

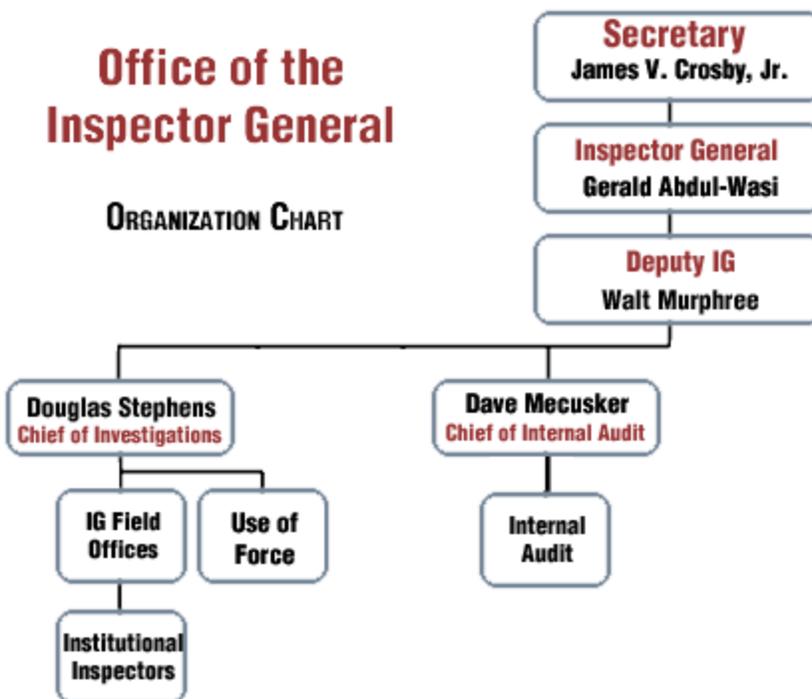
1. Providing timely and useful information to decision makers;
2. Identifying state-wide risks and issues;
3. Surveying stakeholders - senior management and others - to determine satisfaction and needs; and
4. Improving systems of internal control to help assure the integrity - accuracy and compliance - of information used by decision makers

## Specific Areas of Responsibility

To meet the growing needs of a rapidly expanding Department of Corrections, the Office of the Inspector General has had to maximize the efficient use of its resources by addressing those matters of greatest concern and vulnerability to fraud and abuse. Specific functions and the benefits they provide are as follows:

1. Manage a statewide computerized management information network and coordinate this activity with designated key managers.
  - Provide a daily incident/event reporting system from all areas of the department, enabling early identification of problems and timely allocation of investigative resources.
  - Collect statewide data for use by key correctional managers in developing strategies to address problems.
  - Provide for the systematic and coordinated flow of information to the Public Information Office regarding issues of importance to the public and the department.
  - Provide leadership in the department's effort to maintain a strong, formal, cooperative working relationship with the Department of Law Enforcement and other law enforcement and investigative agencies.

2. Conduct criminal and administrative investigations in state correctional facilities.
  - Conduct criminal investigations of felonies in state correctional facilities and to coordinate those activities with other law enforcement and investigative agencies including prosecution through State Attorneys offices.
  - Conduct administrative investigations into improper practices, misconduct on the part of staff and/or offenders in state correctional facilities, and coordinating these investigations with appropriate departmental staff.
  - Provide for timely intervention in areas of identified concern to reduce the potential for escalation of situations such as staff disputes and inmate escapes.
  
3. Assist the Office of Institutions in providing a safer environment for employees, inmates, and visitors by deterring the introduction of contraband at state correctional facilities.
  - Maintain an automated tracking system for contraband seized within state correctional facilities.
  - Conduct unannounced interdiction operations.
  - Review contraband control procedures at state correctional facilities for compliance with department policy and procedure.
  
4. Assume internal audit responsibility for reviewing the efficiency and effectiveness of management controls and programs to assess compliance with department procedures and deter fraud and abuse.
  - Conduct compliance audits in accordance with professional standards.
  - Evaluate the effectiveness of FDC's management of contracts, report findings and recommend steps to correct deficiencies.
  - Assist with investigations involving fraud, waste, or misappropriation of funds.
  - Serve as the department's liaison with the Office of the Auditor General and the Office of Program Policy Analysis and Government Accountability on all audits and performance reviews completed by those offices.



## Bureau of State Investigations

The Bureau of State Investigations is responsible for conducting criminal, administrative and internal affairs investigations. The Bureau also coordinates the agency's Get Lean Hot-Line activity, inmate drug testing program, "Prison Tips" program, and serves as the final reviewing authority for all "Use-of-Force" incidents.

### Investigations

When completed, criminal investigations are referred to the appropriate State Attorney's Office for prosecution. Administrative and internal affairs investigations are referred to management for appropriate follow-up action.

During the 2003-04 fiscal year, 20,012 incidents were reported to the Inspector General's Office. Those incidents were classified in the following categories:

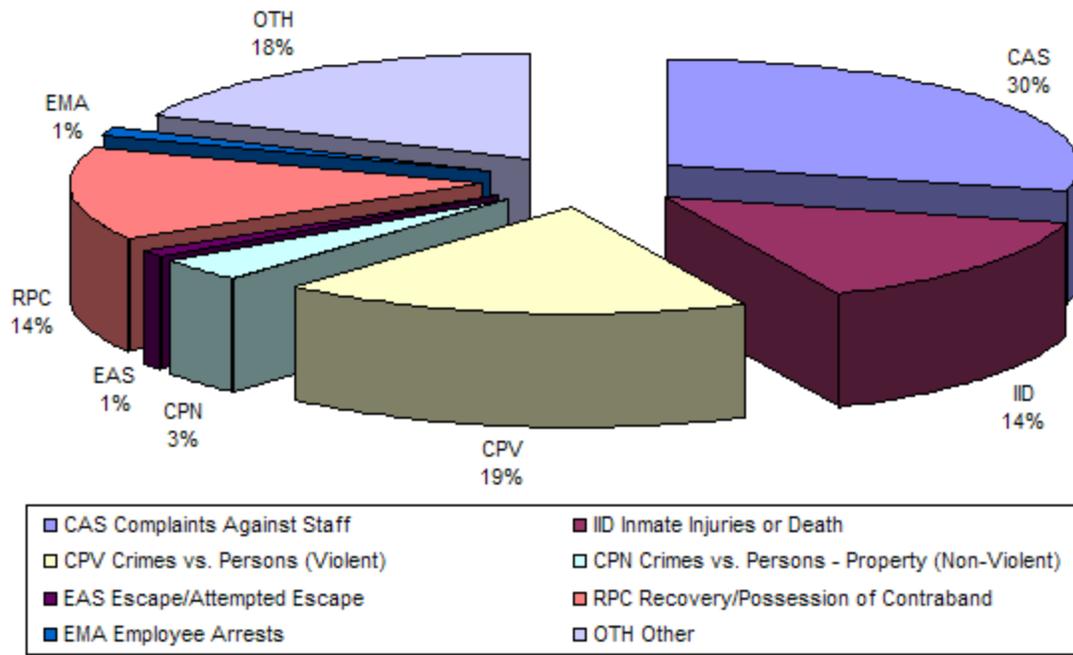
Legend	Classification of Incident	Number
<b>CAS</b>	Complaints Against Staff	5,768
<b>IID</b>	Inmate Injuries or Death	2,881
<b>CPV</b>	Crimes vs. Persons (Violent)	3,721
<b>CPN</b>	Crimes vs. Persons - Property (Non-Violent)	684
<b>EAS</b>	Escape / Attempted Escape	278
<b>RPC</b>	Recovery/Possession of Contraband	2,828
<b>EMA</b>	Employee Arrests	266
<b>OTH</b>	Other	3,614
<b>TOTAL</b>		<b>20,040</b>

Of these 20,012 incidents, 4,760 official investigations were assigned as indicated by the chart below.

Field Office	Senior Inspectors	Institutional Inspectors	Total
<b>Tallahassee</b>	371	873	1,244
<b>Gainesville</b>	291	1,210	1,501
<b>Orlando</b>	291	454	745
<b>Ft. Lauderdale</b>	310	409	719
<b>Tampa</b>	250	301	551
<b>TOTAL</b>	<b>1,513</b>	<b>3,247</b>	<b>4,760</b>

Of the 4,760 investigations assigned, 288 were forwarded to State Attorney's Offices throughout Florida for possible criminal prosecution.

## Classification of Incidents FY 2003-04



### Investigation Highlights

As illustrated by the "Classification of Incidents" chart above, the majority of reported incidents involved:

- Complaints Against Staff, including improper conduct, alleged excessive use of force, and staff/offender relationships. (30%)
- Crimes vs. Persons, including battery on a law enforcement officer, battery on another inmate, sexual battery, and possession of a weapon. (19%)
- Inmate Injuries or Deaths, which included suicide, suicide attempts, homicides, natural deaths, accidental deaths and injuries. (14%)
- Recovery and Possession of Contraband. (14%)

### Get Lean Hot-Line

The Bureau also coordinates department responses to suggestions and complaints received via the Comptroller's Get Lean Hot-Line. During the fiscal year 2003-04, the Bureau received 23 "Hot-Line" complaints. Of those, 15 involved complaints against department staff and 8 were suggestions for cost savings.

### Inmate Drug Testing Unit

The bureau's Inmate Drug Testing Unit administers a statewide program in which randomly selected samples of the inmate population are tested each month for illegal substances. In addition to these random tests, the program also conducts "for cause" testing and testing of inmates enrolled in substance abuse treatment programs (SAP). "For cause" testing is conducted when there is a reasonable suspicion that an inmate is involved with alcohol or illegal substances. SAP guidelines require monthly testing of inmates enrolled in drug treatment. Testing is an integral part of the substance abuse treatment programs and also serves as a deterrent to illegal drug use in the correctional setting. It is recognized as an effective method for identifying inmates with substance abuse problems, and targeting them for further treatment and monitoring.

The Inmate Drug Testing Unit provides technical support for field staff and analyzes test results to determine trends and problem areas. The chart below shows test results for the last fiscal year.

<b>Inmate Drug Tests FY 2003-04</b>						
<b>Reason for Test</b>	<b>Total Selected</b>	<b>Not Tested</b>	<b>Valid Tests</b>	<b>Negative Tests</b>	<b>Positive Tests</b>	<b>Percent Positive</b>
Random	49,073	4,319	44,718	43,835	883	1.97%
For Cause	5,954	207	5,747	4,342	1,405	24.45%
Drug Treatment Program (SAP)	31,494	1,473	30,021	29,955	66	0.22%
<b>TOTAL</b>	<b>86,521</b>	<b>5,999</b>	<b>80,486</b>	<b>78,132</b>	<b>2,354</b>	<b>2.92%</b>

## **Prison Tips**

The Bureau oversees the "Prison Tips" program. The goal of the program is to garner valuable criminal intelligence on unsolved and ongoing criminal activity, both inside and outside the department, from inmates, probationers, and other persons who may have knowledge of this type of activity. The "Prison Tips" program offers an anonymous method to provide this information.

The system utilizes a special number where "TIPS" can be dialed from all inmate phones located inside all department facilities, as well as, 1-866-599-1778, which can be called from phones outside the facilities. All calls are received on a secured line that passes directly into a system monitored by the Office of the Inspector General. Information provided by callers is reviewed and forwarded to the appropriate Department staff or law enforcement agency having jurisdiction over the alleged activity.

Individuals calling have the option of establishing a voice mailbox, which can be accessed by a randomly generated pass code, to receive information back from the Inspector General's Office on the status of the information they provided. This will also provide a mechanism to stay in contact with the individual should they be eligible for a monetary reward offered by law enforcement.

Posters and brochures have been distributed to all department facilities and probation offices explaining how this system works.

## **Use of Force**

The Use of Force Unit was established in August 1999 and is staffed by an Inspector Supervisor and a Senior Inspector. The mission of the unit is to review all incidents of physical force at state correctional facilities and ensure compliance with established rules, procedures and statutes.

To accomplish this, the unit conducts an independent review and evaluation of all force incidents upon receipt of the required reports, associated documents and videotapes from each correctional facility or office. Use-of-force reports or videotapes that reveal possible procedural violations, inmate abuse, excessive/improper/unauthorized force, or battery by correctional employees are referred to the Bureau of State Investigations and an internal investigation is conducted.

The Use of Force Database has been enhanced to provide automatic notification to management of pertinent information regarding employee involvement in use-of-force incidents. Improvement to the database also allows the designation of major or minor use-of-force incidents based on standardized criteria, and the ability to provide ad hoc reports as necessary. Use-of-force incidents are classified as major incidents whenever chemical agent CS or the ERD is used, and/or whenever outside medical treatment is required for employees or inmates as a result of the incident of force.

The following chart categorizes all incidents reported to the Use of Force Unit from July 1, 2003 through June 30, 2004:

<b>Classification</b>	<b>Reason Force Was Used</b>	<b>Number</b>
<b>27A</b>	Self Defense	435
<b>27B</b>	Escape/Recapture	25
<b>27C</b>	Prevent Escape During Transport	48
<b>27D</b>	Prevent Property Damage	9
<b>27E</b>	Quell A Disturbance	1,696
<b>27F</b>	Physical Resistance to a Lawful Command	1,344
<b>27G</b>	Prevent Suicide	114
<b>27H</b>	Restrain Inmate for Medical Treatment	89
<b>27I</b>	Cell Extraction	80
<b>27J</b>	P&P Handcuffing	122
<b>TOTAL</b>		<b>3,962</b>



## Bureau of Internal Audit

### **Mission**

The mission of the Bureau of Internal Audit is to assist the Secretary and the Department in ensuring that: (1) agency goals are met; (2) all resources are used consistent with laws, regulations, and policies; (3) all resources are safeguarded against waste, loss, and misuse; and (4) reliable data is obtained, maintained, and fully disclosed.

### **Goals**

Our primary purpose is to take a proactive approach in meeting our agency's needs and protecting its resources. Toward that end, we have established four key goals:

- Provide quality audits, reviews, studies, and investigations
- Report results to management in a timely manner
- Use agency resources efficiently; and
- Provide adequate audit coverage to mitigate risks.

### **Bureau Organization and Responsibilities**

The Bureau employs eight professional auditors and one staff assistant with oversight from the Bureau Chief who functions as the Director of Auditing. Staff includes a Certified Public Accountant, a Certified Internal Auditor, and a Certified Fraud Examiner.

The Bureau conducts compliance, performance and information technology audits per Section 20.055 Florida Statutes. These audits are conducted in accordance with the current *Standards for the Professional Practice of Internal Auditing* published by the Institute of Internal Auditors.

## Summary of Audits Completed

During FY 2003-04, the Bureau of Internal Audit completed 6 new audits, 9 follow-up audits and 11 reviews. The new audit reports issued are summarized in the chart below:

FY 2003-04 Internal Audit Reports		
Audit Number	Project Title	Report Issue Date
A03011	Sexual Offender/Predator Process	10/22/03
A04001	Workers Compensation Audit	11/18/03
A03053	Wexford Health Services Audit	12/1/03
A03049	National Child Nutrition Program Audit	12/10/03
A04008	Compliance - Florida Statute 944.151	2/27/04
A04012	Quality Assurance - Bureau of Internal Audit	01/31/03

### Selected Bureau Reports With System-Wide Impact

The Bureau views its audit mandate as an opportunity to not only identify site specific deficiencies, but to identify problems with a statewide impact. Two audits with statewide impact conducted by the Bureau of Internal Audit this fiscal year included:

#### Workers Compensation Audit

Our previous audit of the Department of Corrections Workers' Compensation program indicated that the program had some issues that needed to be addressed. Subsequent to the audit, a Workers' Compensation Task Force was established composed of staff from the service centers, personnel, and field support services. The task force minutes indicate that some very good and useful suggestions were made. Several of the suggestions, if implemented, would have satisfied the findings of the audit. However, this task force met only twice and most of the suggestions were not implemented.

**The findings for this report are repeat findings from the previous audit.** All reportable issues listed below represent weaknesses that need management's attention and action.

- The control environment for the Workers' Compensation Program is inadequate.
- The Department of Corrections policies and procedures need to be updated and enhanced.
- Employee Workers' Compensation medical files were incomplete.
- Mechanisms are not in place to provide adequate training to line staff concerning workers' compensation issues and work place safety.

Management concurred with our findings and recommendations and has taken appropriate action to correct program deficiencies that should increase program integrity and ensure program improvement.

#### National Child Nutrition Program Audit

Our audit identified issues with both financial and purchasing internal controls and issues involving both DC and Aramark responsibilities regarding management and monitoring of the program. The below listed issues are felt to be control areas that if corrected could enhance the overall operation.

## **Financial**

- As of July 2003, DC had over \$2.9 million in unutilized NCNP funds that could enhance the program.
- Internal Controls over NCNP P-card purchases are weak.

## **DC Responsibilities**

- Some institutions that qualify for the NCNP funding do not participate in the program.
- Daily Meal Count Forms are not always signed and verified each day at meal times.

## **Aramark Responsibilities**

- Management acknowledged several operational issues reported in the audit and agreed to implement corrective action.



## Other Activities

### **Governor's Council on Integrity and Efficiency**

The Inspector General is an active member and attends the regularly scheduled meetings of Florida's inspectors general. Open communication among the IG's and the Chief Inspector General continues to enhance the effectiveness of the IG community.

### **Professional Audit Organizations**

The Bureau of Internal Audit participates in several professional organizations, including the Audit Director's Roundtable, [Institute of Internal Auditors](#), [Florida Audit Forum](#), [Association of Certified Fraud Examiners](#), and the [American Institute of Certified Public Accountants](#). These organizations promote progress and professionalism in the field through sharing of ideas and best practices.

### **Investigators' Roundtable**

The Investigators' Roundtable brings together directors of investigative units of the Inspector Generals' offices for each agency to identify best practices and discuss common issues. These meetings promote progress through the sharing of ideas and best practices among state agencies.